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THE VICEROYALTY OF  
LORD IRWIN





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# THE VICEROYALTY OF LORD IRWIN

1926-1931

BY  
S. GOPAL

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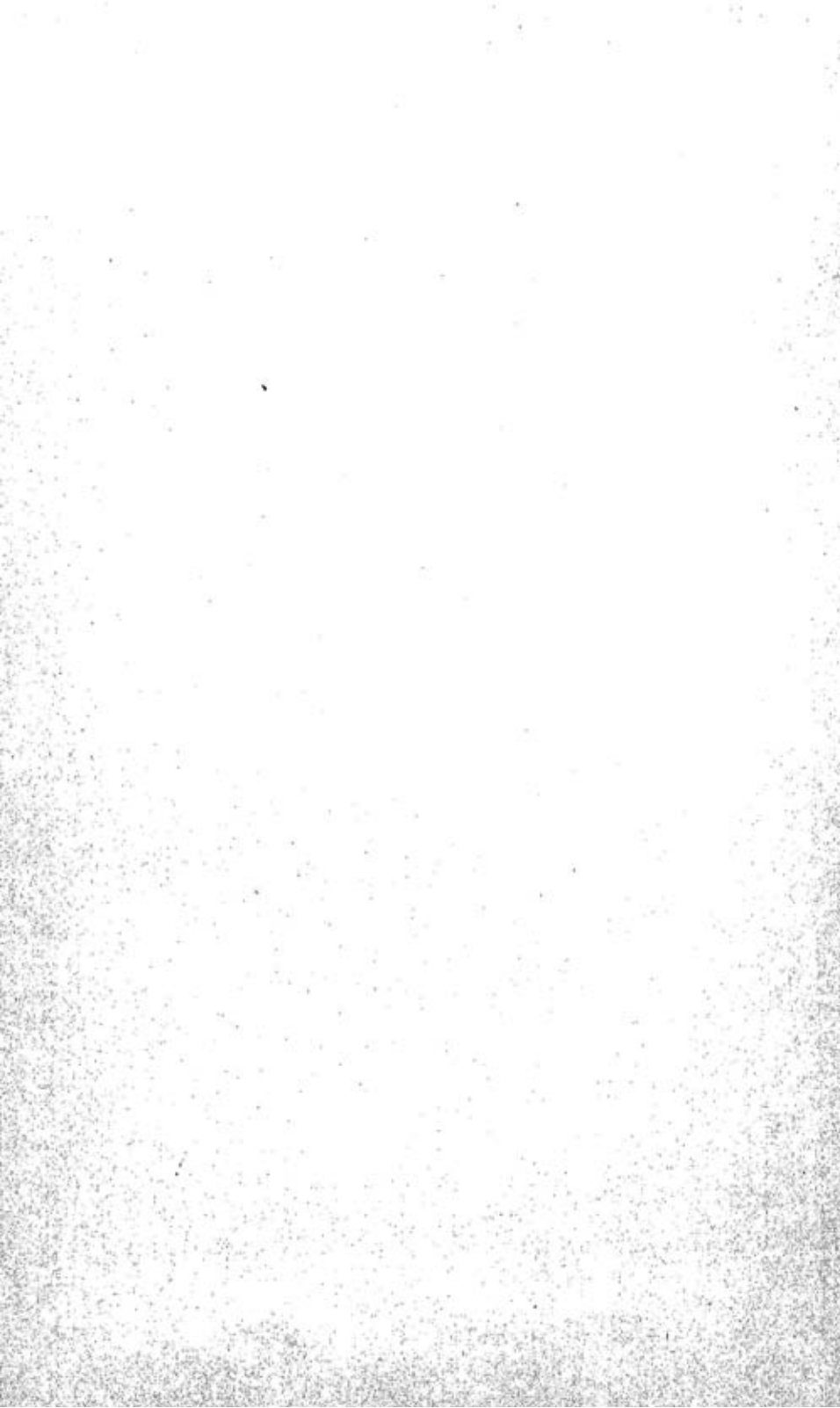
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अवधि संख्या...

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TO  
THE MEMORY OF  
MY MOTHER



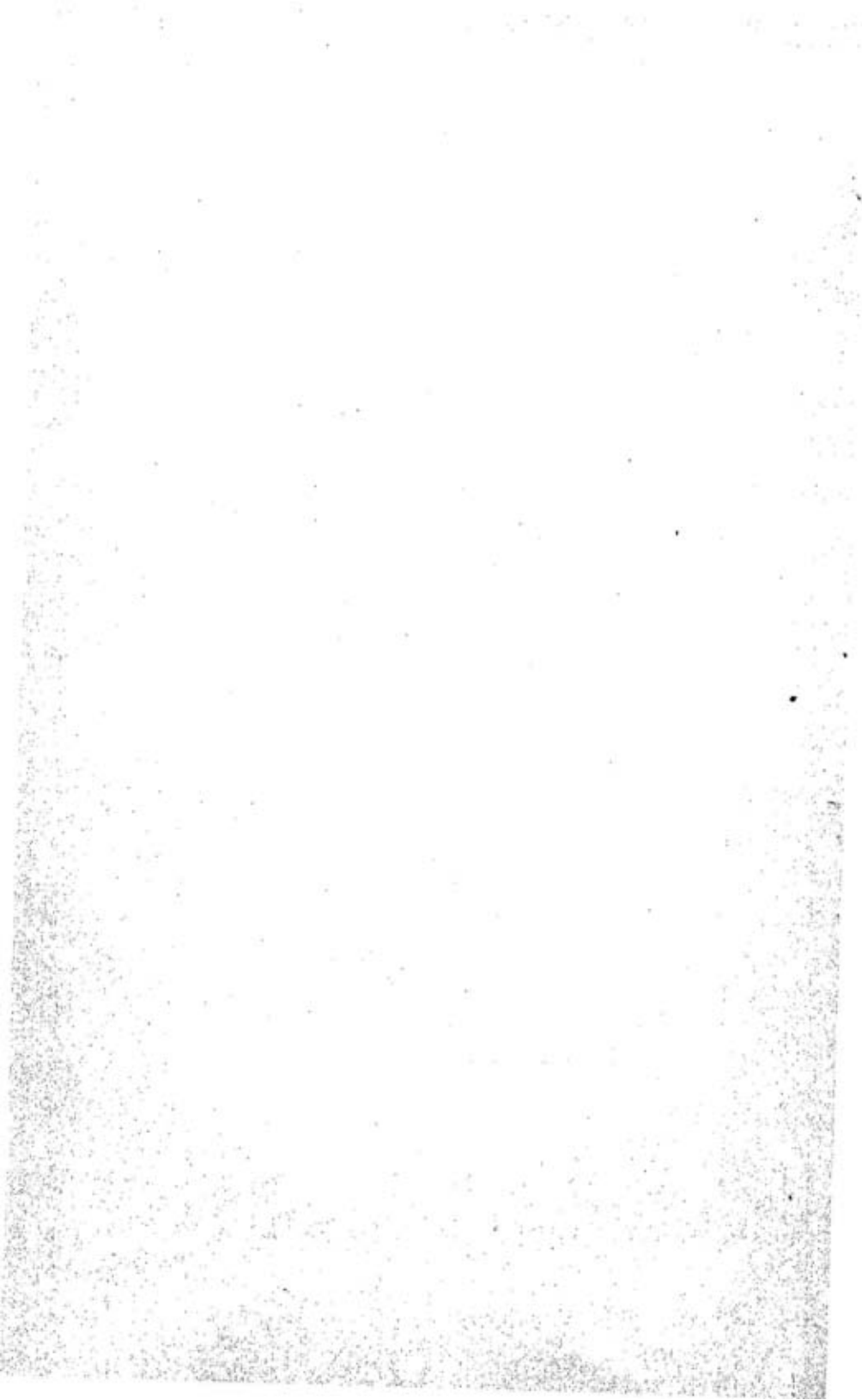
## PREFACE

THE events covered in this book occurred less than thirty years ago but are now as much a part of history as, say, the Norman Conquest. Contemporaneity is a matter of mood as well as of time, and it is possible today to study Lord Irwin's viceroyalty, its hopes and its fears, with detachment and accuracy, setting aside prejudice and conjecture.

This work was made possible by the access granted to me by the Government of India to the official files and records of the period. The only condition made was that detailed references to these sources should not be given. Lord Irwin (now Lord Halifax) most kindly answered my many questions and discussed with me the various aspects of his viceroyalty; but he is not, of course, responsible for any of the views stated here. From Professor V. H. Galbraith I have received, throughout the making of this book, the most generous encouragement. I am also grateful to Dr. C. C. Davies, Mr. Christopher Hill, Mr. J. Steven Watson, and Mr. E. T. Williams who have all read the typescript and given much helpful advice.

S. G.

*November 1956*

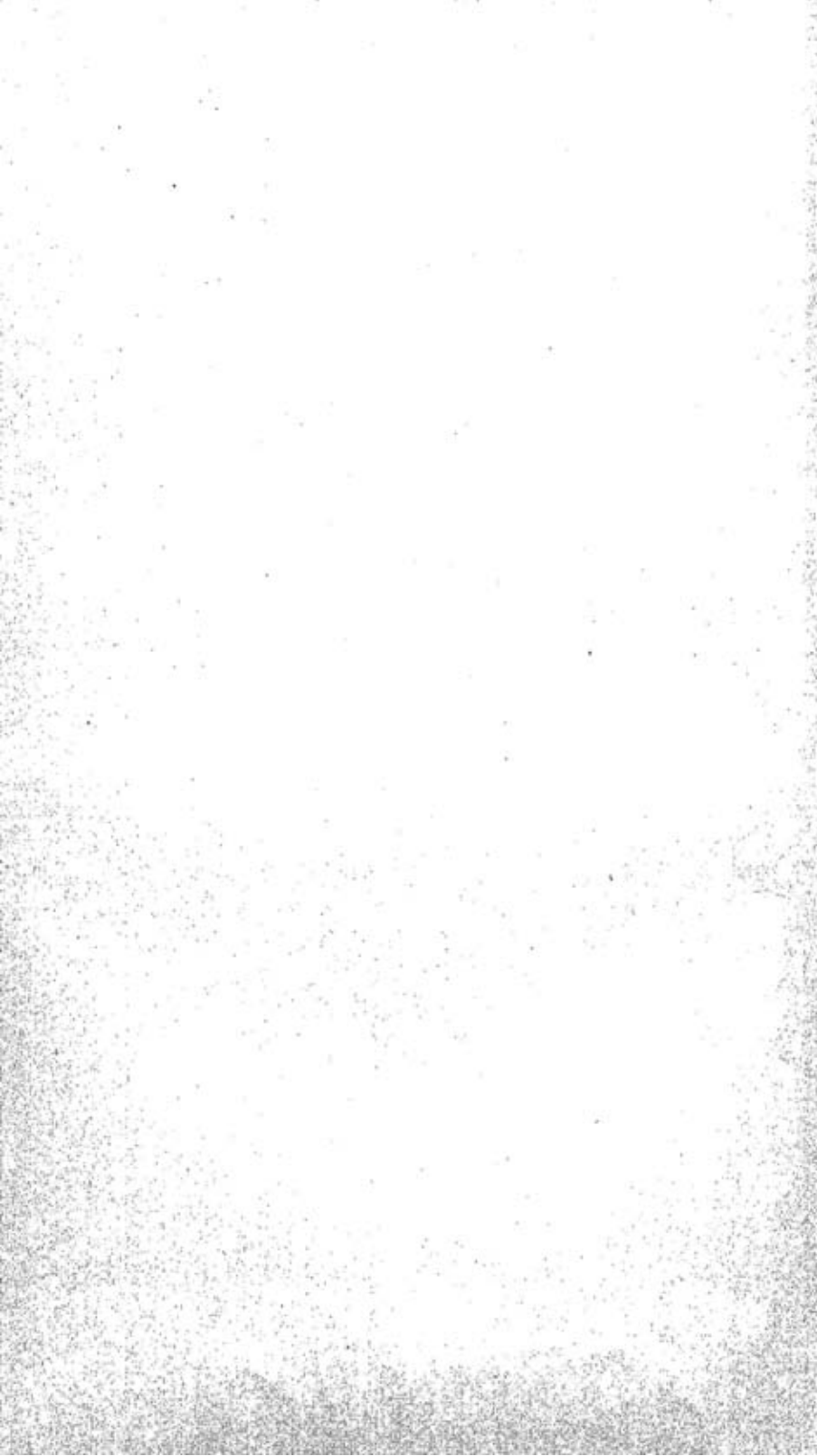


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## INTRODUCTION



THE selection of Edward Wood to succeed Lord Reading as Viceroy of India in April 1926 was a decision to which, in retrospect, greater importance attaches than contemporary opinion would have allowed. British rule in India, especially in its last hundred years, was a matter of national enterprise rather than of personal adventure, and in pursuing the slow evolution of policy it would be foolish to separate the Viceroys as good and bad. Yet in India more than elsewhere, perhaps because of the sentimental spirit of its people, the factor of human personality has often proved the crucial one at many turning-points; and in 1926 no man in English public life was better fitted than Wood for the political climate and situation in India. Not that his name, as in the case of Curzon,<sup>1</sup> was one that chose itself. The appointment of the Viceroy was the prerogative of the Prime Minister, but obviously the wishes of the sovereign, whose personal representative he was, were taken into account in this connexion more than in most others; and the Prime Minister would also as obviously seek the views of the Secretary of State. Towards the end of 1925 Mr. Baldwin<sup>2</sup> and Lord Birkenhead<sup>3</sup> found this selection of a successor to Reading no easy decision. Birkenhead feared that the King wished to send out Prince Arthur of Connaught.<sup>4</sup> In fact the King proposed Lord Haig,<sup>5</sup> but when informed that a

<sup>1</sup> George Nathaniel, first Marquis Curzon of Kedleston (1859-1925). Visited India 1888; a keen student of Asian affairs; Under-Secretary for India 1891-2; Viceroy of India 1898-1905; Foreign Secretary 1919-24.

<sup>2</sup> B. 1867; M.P. 1908; President of the Board of Trade 1921-2; Chancellor of the Exchequer 1922-3; Prime Minister 1923-4, 1924-9 and 1935-7; accepted an earldom 1937; d. 1947.

<sup>3</sup> Frederick Edwin Smith, first Earl of Birkenhead. B. 1872; M.P. 1906; Attorney-General 1915-19; Lord Chancellor 1919-22; Secretary of State for India 1924-8; d. 1930.

<sup>4</sup> B. 1883; the only son of the Duke of Connaught; Governor-General of South Africa 1920-3; d. 1938.

<sup>5</sup> Douglas, first Earl Haig. B. 1861; Commander-in-Chief of British Forces in Europe 1916-19; Commander-in-Chief of the Home Forces 1919-21; d. 1928.

civilian would be better adapted to the situation, suggested Wood. Independently of this, Wood's name was also mentioned to Birkenhead by his Under-Secretary Lord Winterton.<sup>1</sup> It would seem that Birkenhead himself was not enthusiastic, and forwarded to the Prime Minister, along with Wood's name, that of another Cabinet colleague. Wood was one of Baldwin's most intimate friends, and the Prime Minister's first reaction was that he could not be spared. Ultimately, however, his belief that India should have the best talent available induced Baldwin to confirm the King's choice.<sup>2</sup>

But whoever was responsible for the selection, all are agreed that Wood himself was reluctant to accept the appointment. He had visited India once before, in 1905, but had sensed no personal destiny in that country, and his domestic obligations and future political prospects both held him to England. Staunch High Churchmanship, the authorship of a biography of Keble, a fellowship of All Souls, participation in the 'revolt of the Under-Secretaries', and entry into the Cabinet as Minister for Agriculture and Fisheries—there was nothing in this record that foreshadowed a great pro-consulship. He submitted, however, to what he regarded as a call of duty and went out to succeed Reading, who was a man with a variety of distinction,<sup>3</sup> his only obvious assets being a family tradition of connexion with India, a deep sense of religious purpose, and a belief in Britain's mission of democracy in the land she ruled. But significant was what then was not apparent to many; the fact that there was in this man, still in his forties, who landed in India as Lord Irwin, a firmness of spirit and force of character that would influence the springs of history.

The acceptance by the British Government in 1917 of

<sup>1</sup> B. 1883; succeeded to the title 1907; M.P. 1904-51; Under-Secretary for India 1922-4 and 1924-9; Chancellor of the Duchy of Lancaster 1937-9.

<sup>2</sup> H. Nicolson, *King George the Fifth* (London, 1952), p. 504 and footnote; Lord Birkenhead, *Birkenhead: The Last Phase* (London, 1935), pp. 248-50; Earl Winterton, *Orders of the Day* (London, 1953), p. 133 and footnote; Baldwin in House of Commons, 7 Nov. 1929, *Hansard*, 5th ser., vol. 231, cols. 1305-6.

<sup>3</sup> Rufus Daniel Isaacs, first Marquis of Reading (1860-1935). Solicitor-General 1910; Attorney-General 1910-13; Lord Chief Justice 1913-21; on special missions to the United States 1915 and 1917, and Ambassador at Washington 1918; Viceroy of India 1921-6; Foreign Secretary 1931.

the progressive realization of responsible government as the purpose of British rule in India marked the beginning of the end. The gradualness implied in the statement might be interpreted, as Birkenhead did interpret it,<sup>1</sup> in a way that rendered the final attainment so remote as to be incalculable; and responsible government might be considered, following the example of Sir Malcolm Hailey,<sup>2</sup> to mean something less than self-government.<sup>3</sup> But for all practical purposes the days of British rule were numbered; and from 1917 onwards the advance to self-government became more important than the maintenance of good government, and political and constitutional developments dominated the Indian scene. The reforms of 1919, which their authors claimed to be the first step in this progressive realization, really effected no substantial devolution of power to Indian hands. Only in the provinces were some relatively unimportant departments of administration transferred to ministers dependent on the votes of an elected legislature; but even this system of dyarchy did not provide any apprenticeship in representative government and collective responsibility. Government is indivisible, and the fact that the essential portfolios such as law and order were 'reserved' to the Governor and his advisers robbed the ministers of all authority. The most they could hope for was influence; and occasionally forceful ministers did induce a form of Cabinet government by winning the confidence of the officials in charge of 'reserved' departments.<sup>4</sup> But this could not be generally appreciated. Indeed, few Indians took dyarchy seriously.<sup>5</sup> Yet the fact that Great Britain had sought to implement the pledge of 1917 by introducing parliamentary government, in however truncated a form, was appreciated by Indian opinion. Even Bal Gangadhar Tilak,<sup>6</sup> the formidable figure

<sup>1</sup> See two articles 'The Peril to India', *Last Essays* (London, 1930), pp. 30 ff.

<sup>2</sup> B. 1872; entered Indian civil service 1895; member of Viceroy's council 1919-24; Governor of the Punjab 1924-8; Governor of the United Provinces 1928-30 and 1931-4; director of the African Research Survey 1935-8. Baron in 1936.

<sup>3</sup> 8 Feb. 1924, *Legislative Assembly Debates*, vol. iv, pt. 1, p. 358.

<sup>4</sup> A. Appadorai, *Dyarchy in Practice* (Madras, 1937), pp. 132 ff.

<sup>5</sup> 'The word Dyarchy has been almost become [*sic*] a word of abuse. I have heard of one man saying to another, "You are a dyarchy".' An assistant township officer in Burma cited in M. Collis, *Into Hidden Burma* (London, 1953), p. 165.

<sup>6</sup> B. 1856; teacher and journalist at Poona; opposed government intervention in

of the Hindu resurgence, had been stirred sufficiently to offer himself as a candidate at the first elections.<sup>1</sup>

This faith in British policy, however, was soon killed by the machine-guns of General Dyer<sup>2</sup> at Amritsar. There was no greater friend of the English than Mahatma Gandhi,<sup>3</sup> now back in India after his triumphs in South Africa; but the unruffled tolerance with which British public opinion seemed to view these manifest atrocities shocked him deeply, and he condemned British rule as being not foreign but Satanic. *Swaraj* or freedom, Tilak had said, was his birth-right; non-co-operation with the British Government, added Gandhi, was his duty. Such non-co-operation was to him no mere neutrality or abstention from positive support. He could conceive of no half-way house between allegiance and sedition. Acceptance is the basis of citizenship, and loyalty implies willing obedience. So he who had participated as a non-combatant in the Boer War, the Zulu Rebellion, and the Great War, determined in 1920 to devote the rest of his life, if need be, to working actively for the overthrow of the British Empire in India. The normal pattern of such disaffection is armed resistance, but Gandhi was an unhesitating believer in non-violence. This again, despite its negative prefix, was a positive concept; not cowardice or supine passivity, but a dynamic force of the spirit. By non-violent non-co-operation Gandhi meant an insistence on truth, an impatience of evil, and a willingness, even an anxiety, to suffer the opponent's anger till the latter sickened of it. He would

Hindu social practices; leader of the extreme wing of the Indian National Congress; in jail for sedition 1897-8 and 1908-14; supported war effort 1914; d. 1920.

<sup>1</sup> See the eye-witness account of the private meeting at which Tilak made his offer in 'Keralputra', *The Working of Dyarchy in India 1919-1928* (Bombay, 1928), pp. 28-29 ('Keralputra' is the pseudonym of Mr. K. M. Panikkar); also D. V. Tahmankar, *Lokamanya Tilak* (London, 1956), p. 304.

<sup>2</sup> Reginald Edward Harry Dyer, b. 1864; entered Indian Army 1888; posted to the command of a training brigade 1918; in suppressing civil disorders in Amritsar in April 1919 opened fire without warning on a crowd that had inadequate means of dispersal, ordered that Indians could only crawl along a certain street, and had six persons whipped before they had received sentence. Though an official committee of inquiry criticized his conduct, the only action taken was that he was asked to resign. D. 1927.

<sup>3</sup> Mohandas Karamchand Gandhi, b. 1869. Called to the Bar 1889; practised as barrister in South Africa for seventeen years; gave up practice to lead passive resistance campaign on behalf of Indian settlers in 1908; returned to India 1915; leading figure of the Indian National Congress till his assassination in 1948.

appeal from the British system to the British conscience; it would be a fight to the finish, but its aim was not the defeat but the conversion of the foe. Gandhi belonged to the category of men that do not heed the limitations of their time and environment, and there is no doubt that he regarded this weapon as suitable for employment against any antagonist anywhere. But this deliberate suffering in an effort to rouse the enemy's better nature presupposes considerable self-discipline in the revolting party and certain standards of refinement and civilization in the party that is being attacked; and while the ancient traditions of India rendered the technique acceptable to her peoples, Great Britain was perhaps the only Imperialist nation of that day against whom it could have been wielded so successfully. Gandhi himself realized that, apart from affirming correct principles, he had chosen his weapons shrewdly in his contest with an enemy who was not prepared to have easy recourse to the means of violence of which it possessed a monopoly.

An Englishman [he told his most intimate English friend]<sup>1</sup> never respects you till you stand up to him. Then he begins to like you. He is afraid of nothing physical; but he is very mortally afraid of his own conscience if ever you appeal to it, and show him to be in the wrong. He does not like to be rebuked for wrong-doing at first; but he will think it over, and it will get hold of him and hurt him till he does something to put it right.

Nothing would have suited the British better than to have been confronted with a series of weak, armed rebellions; but this sustained attempt to strike a chord in their hearts they found bewildering<sup>2</sup> and, in the end, irresistible.

It was in August 1920 that Gandhi inaugurated his campaign of non-violent non-co-operation. He won to his cause the support of the Indian National Congress, the largest and best-organized party in the country; only a few, still believing in advancing to freedom at the pace and along the road chosen by the Government, seceded to form the Liberal

<sup>1</sup> Gandhi to C. F. Andrews; see Andrews, *Mahatma Gandhi's Ideas* (London, 1929), p. 249.

<sup>2</sup> Cf. Lord Melbourne almost a hundred years earlier: 'Warburton, Warburton, he is one of your moral force men isn't he? I can understand your physical force man, but as to your moral force man I'll be damned if I know what they mean!' Lord David Cecil, *Lord M.* (London, 1954), p. 278.



party, which in personal eminence and collective futility formed a striking parallel to its namesake in England at this time. The first steps in this campaign of non-co-operation were a renunciation of titles and a boycott of schools, law courts, and the legislatures; but these were no more than mild protests. In 1921, however, in association with Moslem leaders, who were resentful of the treatment of defeated Turkey by the Allies, Gandhi inaugurated civil disobedience. This was extreme, aggressive non-co-operation, marked by studied, flagrant breaches of the law, but termed civil in that it was not criminal or violent. The movement gained considerable support in the country, but at Chauri Chaura, a village in the United Provinces, an angry mob set fire to a police-station, and twenty-two constables lost their lives; and this tragedy compelled Gandhi to terminate the movement. This first effort at general civil disobedience was not totally barren. It converted the Congress from a mere debating association of intellectuals into a party with roots among the people, roused a widespread spirit of resistance, transformed arrest from a stigma into a privilege, and shook the prestige of the Englishman in India. But Gandhi discerned that India was not yet ready and equipped for a non-violent struggle. The people lacked the necessary charity and self-restraint, and the Congress had not sufficient influence to justify its leadership. After his arrest in 1922, the more he brooded over the problem in jail, the more he realized the need for training and organization.

But on his release on medical grounds in February 1924 Gandhi noticed a further deterioration in the situation. 'Our non-co-operation has taken the form of non-co-operation in practice with one another instead of with the Government.'<sup>1</sup> It was not the political differences between the Congress and the Liberals and the diverse opinions within the Congress itself that caused Gandhi concern, but the unhealthy, deep-seated, separatist tendencies based on caste and religion that were tearing the country asunder. India was rapidly heading to a condition when there would be little in common between the Brahmins and the non-Brahmins in the south, the caste Hindus and the so-called 'untouchables', and, above all, the

<sup>1</sup> *Young India*, 11 Sept. 1924.

Hindus and the Moslems. There was, in fact, a lack of unity and cohesion at almost every level, and it was clear to Gandhi that till this was remedied all talk of *Swaraj* would be idle. He stirred the conscience of the Hindu community on the question of untouchability to such an extent that he could claim within two years of his release that untouchability was slowly but surely dying.<sup>1</sup> The extinction of this aberration of Hinduism has proved a long process and indeed the end has still to be reached; but once Gandhi gave the initial impulse there was no going back. More intractable was the problem of securing concord between Hindus and Moslems. India had the largest Moslem population found in any single country, numbering at the 1921 census 68,735,000 or nearly a quarter of the whole. Though they were to be found throughout India, they formed majorities in Baluchistan, the North-West Frontier Province, Punjab, Sind (then still a part of Bombay), and the eastern part of Bengal. Their religious attitudes and social customs had little in common with those of the Hindus, but this had not prevented the two communities from living together in harmony for centuries. The reforms of 1909, however, by introducing the system of separate electorates, or constituencies where one of the qualifications was a particular race or religion, encouraged the formation of political aspirations on a religious basis, and poisoned the atmosphere with communalism. Mr. Montagu and Lord Chelmsford had no doubts about the harm done by this system which encouraged men to think as partisans and not as citizens,<sup>2</sup> but the legislation which was based on their report gave it further extension. Moslems in all provinces except Burma, the Sikhs in the Punjab, the Indian Christians in Madras, the Karens and Indians in Burma, Englishmen in most provinces, and Anglo-Indians in Madras, Bengal, and Burma were granted separate representation. Of the 823 constituencies for the Central and Provincial assemblies, 263 were communal. There is no doubt that one of the reasons for the adoption of this clearly undemocratic system was the hope that it would strengthen the hands of the Government. It was believed by many that the encourage-

<sup>1</sup> *Young India*, 18 Mar. 1926.

<sup>2</sup> See *Report on Indian Constitutional Reforms* (1918), section 229.



ment of communalism in politics would weaken Indian nationalism by winning over Moslem opinion. Gandhi, however, sought to thwart this, not by attempting a divorce of religion from politics, but by framing a political programme based on an avowedly religious unity. He associated the Congress with the purely Moslem agitation against the deposition of the Caliph; but this was to have an unfortunate and far-reaching consequence. For when this movement collapsed with Turkey's own renunciation of theocracy the only result was the strengthening of the religious element in Indian politics. So while clearly the establishment of separate electorates was a retrograde measure, the Congress was also, in the years to come, to an extent hoist with its own petard. The irritation caused to the Hindus by the slaughter of cows and to the Moslems by the playing of music before mosques was no new phenomenon; but it now provided sufficient excuse for large-scale rioting. In the years 1900 to 1922 there were sixteen communal riots; for the three years from 1923 to 1926 the number was seventy-two. The Congress strove its utmost to check this development and, to assert its national basis, elected a Moslem as President five times in ten years. But assurances of religious toleration and cultural autonomy could not mitigate what had become a purely political problem. Envisaging the possibility of a total British withdrawal from India, the Moslem leaders concentrated their energies on securing a general acceptance of separate electorates, conjunction of fresh safeguards for minorities with further constitutional advance, realignment of provinces so as to ensure Moslem rule in certain areas, and adequate representation in the Services. In 1924 Gandhi urged the Congress to invite the co-operation of all parties in a search for the highest common measure of political aspiration, but was soon compelled to realize that most of them preferred to secure their aims through the patronage of Government rather than through mutual co-operation. There was, too, so much of a spirit of violence in the atmosphere that by 1926 he acknowledged temporary defeat; while Hindus and Moslems did battle with each other at the slightest provocation in every part of the country, his only contributions towards a direct solution were prayer and personal acts of friendship.

But more promising were his schemes for promoting the general unity of the country in a manner which would transcend the divisions of caste and creed. Nine-tenths of India's people still lived in the 750,000 villages; there were only thirty-four towns which had each a population of over 100,000. Agriculture then was the main occupation; but it could not, in the nature of things, be carried on throughout the year, and few could avoid seasonal unemployment and, living as they did on the margin, consequent starvation. Some source of supplementary income would therefore be welcome, and Gandhi could think of nothing more suitable than the *charka* or spinning-wheel. Cotton grew in every province; hand-spinning required no particular skill or heavy capital outlay; all, men, women, and children, could take part. It might not bring in more than an anna per day, but even this would make a substantial difference to the average income of an Indian. So the *charka* could destroy idleness and pauperism and restore the self-confidence of the ordinary man without which there could be no impulse to freedom. For Gandhi never forgot the political aspects of this project. He urged Congressmen to spin, not in the hope of any economic advantage for themselves, but as an example to the villagers. This would prove the strongest link between the rich and the poor, the town-dwellers and the peasants. Parallel to the Congress organization, which was itself re-organized to reach every part of the country, he established an All India Spinners Association with a branch, if not in every village, at least in every district. The *charka* was to be the instrument of both rural reconstruction and national organization.

But if this cottage industry were to be sustained, it was necessary to create a market for the product. Gandhi therefore announced that the wearing of *khaddar*, or cloth woven of this yarn by hand, was a badge of patriotism. The discount that this placed on mill production was expected to ensure employment for weavers. A further impetus was given to *khaddar* by proclaiming a boycott of foreign cloth. Boycott, as we have seen, was a familiar weapon, and many suggested that it should be applied to all British goods. But Gandhi consistently opposed such a punitive boycott as suggestive of anger and necessarily a preliminary to violent action. He

was willing to sanction the boycott of only one particular commodity, and that too not of British only but of all foreign cloth. This again was something in which all could join and which entailed widespread organization; like spinning and the wearing of *khaddar*, it could lead to no violence; success was not difficult and would give Great Britain a sense of India's self-respect. Bonfires of shimmering textiles were lit all over India, and Gandhi declared that the people were burning their shame.

Such was Gandhi's constructive programme in the years after his release from jail. He never lost sight of the goal of *Swaraj* and never lost hold of the method of non-violence, but saw that the immediate objectives were unity and organization, and for their attainment formulated policies which, in their simplicity and suitability to the Indian situation, contained an element of genius. He was not a great thinker, and reached his conclusions not by a rational process but instinctively, through a gradual subconscious maturing of impulses and impressions. Yet the most striking aspect of his policy is its integral unity; he could justify it from every viewpoint of his own, religious, social, economic, and political. Tenacious in his grasp of principles, he was realist and experimental in applying them. Few, however, even of his own followers attained a full understanding of his doctrines. Many believed that in his theories of *charka* and *khaddar* he was motivated solely by a desire to retreat from modern civilization and moved away from him in impatience. In Bengal aimless terrorism became the vogue, and the Government were compelled to take special measures which by the Bengal Criminal Law Amendment Act of 1925 became the law for five years. One hundred and fifty suspects were arrested, and the centres of terrorist endeavour shifted, first to the United Provinces and then to the Punjab. On the other hand, there was a growing feeling that greater use should be made of the legislatures for purposes of propaganda. In 1920 the Congress, engrossed in promoting a popular movement of civil disobedience, had scorned to participate in the elections; but two years later Chittaranjan Das,<sup>1</sup> a Calcutta

<sup>1</sup> B. 1870; barrister of the Calcutta High Court; joined the Indian National Congress 1906; d. 1925.

lawyer of intellectual directness and persuasive fervour, contended that this abstention had only strengthened the Government and advocated the entry of Congressmen into the Councils. They should vigorously canvass the narrow electorates totalling five million voters, secure majorities in the Central and Provincial assemblies, and by a policy of continuous obstruction render any semblance of parliamentary government impossible. Revocation of the boycott of the legislatures would mean not any change in the policy of non-co-operation but the cultivation of a new field of activity till the time that the country was ready for another plunge into civil disobedience. Membership of these bodies would provide Congressmen with occasions not only to voice the nation's grievances but also to tear the mask of liberalism off the face of bureaucracy and reveal its true lineaments.<sup>1</sup> At first the majority in the party found these views strange and tinged with compromise, and Das resigned from the presidentship and seceded with his followers to form, in December 1922, virtually a separate *Swaraj* party. The next year, however, at a special session of the Congress, the *Swarajists* took advantage of Gandhi's absence in jail to claim his support for their policy and secure its acceptance. The elections were now at hand, and the *Swarajists* developed a countrywide organization with adequate funds. The general sympathy among the literate classes for the broad aims and objectives of the Congress ensured their success. They were elected to a majority of seats in the Central Provinces, formed the single largest party in Bengal, and acquired considerable strength in Bombay and the United Provinces. Their success in Madras, the Punjab, and Bihar and Orissa was less spectacular. Gandhi on his release declared that this policy was inconsistent with non-co-operation; the latter required a certain mental attitude which could not be reconciled with membership of the legislatures, and 'non-co-operation from within' was a contradiction in terms. But the fact remained that this new parliamentary group was the only wing of the Congress that was in these years in direct conflict with the authorities; most of its members were

<sup>1</sup> Presidential Address to the Indian National Congress 1922, *Congress Presidential Addresses*, 2nd ser. (Madras, 1935), pp. 557 ff.

lawyers skilled in the methods of disputation, and their speeches criticizing the inadequacy of dyarchy and their efforts, often successful, to reject every official motion or Bill warmed the hearts of the politically conscious classes. So despite Gandhi's objection the Congress did not renounce the *Swarajists*, and Das remained in control. But the fear that participation in constitutional activity would stunt the spirit of non-co-operation was not wholly unfounded. By 1925 Das was acting almost as the Leader of the Opposition, and offered in May to co-operate with the Government provided all political prisoners were released and *Swaraj* was guaranteed in the near future. His death the next month was not followed by the revocation of this offer by the Congress. In July Birkenhead, clearly in reply, demanded positive evidence of the spirit of co-operation; so long as Britain was confronted with 'a blank wall of negation', she could not be expected to sanction further constitutional advance. The response was immediate; Motilal Nehru,<sup>1</sup> the leader of the Congress party in the Legislative Assembly, agreed to serve on the committee for considering ways and means of recruiting Indian officers for the army, and Vithalbhai Patel,<sup>2</sup> another prominent gladiator of the group, contested and won the election for the Presidentship. Fortified by this evidence of readiness to accept responsibility, in September the *Swarajists* again put forward the 'National Demand' for the immediate drafting by a representative conference and enactment by Parliament of a constitution conferring full Dominion Status on India. The Government, however, opposed the motion; their attitude was one of suggesting difficulties rather than expressing definitely adverse opinions. Meantime it was becoming clear that though Nehru and Patel were in spirit unbending, many of their weaker brethren in the Central and Provincial assemblies were being affected by the close association with the administration. Continuous obstruction had gradually given way to participation in

<sup>1</sup> B. 1861; advocate of the Allahabad High Court; President of the Indian National Congress 1919 and 1928; formed with Das the *Swaraj* party 1922; Chairman of All-Parties Committee on Constitutional Reforms 1928; d. 1931.

<sup>2</sup> B. 1870; barrister of the Bombay High Court; member of the Bombay Legislative Council 1914; member of the Legislative Assembly 1923; President of the Legislative Assembly 1925-30; sailed for Europe 1931 and died in Geneva 1933.



legislative business and membership of committees, and now quite a few were prepared even to take the final step of acceptance of office. In Bengal and the Central Provinces dyarchy had been brought to a standstill and the Governors assumed responsibilities for the administration of all the departments; but even so, a *Swarajist* accepted an Executive Councillorship in the Central Provinces in October. While Nehru condemned this action, many, especially in the Bombay Presidency, contended that this was as justifiable as Patel's acceptance of the Presidentship; and the controversy split the party. At the annual Congress session in December 1925 it was decided that the *Swarajists* should once more seek acceptance of the 'National Demand', failing which they should leave the legislatures. Those to whom this decision was not palatable broke away to form the party of Responsive Co-operation. To this extent the Government had triumphed; non-co-operation in the councils had proved a failure, and when Nehru led his followers out of the Assembly Chamber on 8 March 1926 he was in fact leading the *Swaraj* party off the political stage. They returned now and then on special occasions to embarrass the Government, and Patel continued to be the President; but the Congress was generally of the opinion that the assemblies could not advance India's political aspirations, and might indeed smother them.

This disintegration of the parliamentary party did not surprise Gandhi. He had indeed given the *Swarajists* full rein in the confident assurance that when their hopes had been disappointed they would return to him without reservations. He had been sentenced in 1922 to imprisonment for six years, and though released after two years had regarded himself as but a prisoner on parole; and in December 1925 he had placed a further restraint on himself by cancelling all tours for the next twelve months and concentrating his energies on propaganda for *khaddar*. But this did not mean, as many believed, a total suspension of political activity. Gandhi knew that the country was not yet ready for any extreme form of non-co-operation. Civil disobedience had collapsed, and the *Swarajist* policy had proved ineffective; throughout the country there was a feeling of frustration. 'We are passing through midnight gloom. Possibly we have

not yet seen the worst.<sup>1</sup> But even in the days of *Swarajist* dominance he had kept a wakeful, paternal eye on the Congress and knew that by his seemingly eccentric policies he was really binding the nation together in preparation for the future. The horizon was dark, but the flame in his heart burned as brightly as ever.

<sup>1</sup> *Young India*, 18 Mar. 1926.

## II

### POLITICS IN SUSPENSE

WELCOMING his successor at Bombay, Reading warned him that for about the first eighteen months he would have a comparatively quiet time, but the second half of his term would be a period of trouble and anxiety.<sup>1</sup> The forecast, as far as politics were concerned, proved remarkably correct. Till November 1927 there was a lull in Indian politics, and the new Viceroy was not pressed to make decisions before he had gained some understanding of the situation. Spinning was the only form of all-India activity in which Gandhi interested himself, while the question of participation in parliamentary activity split the counsels of the Congress party. In lieu of any positive programme more spectacular than spinning, the protagonists of non-co-operation had no effective answer to the Responsive Co-operators, who hoped for some success, even if without sensation, in the legislatures. Gandhi himself seemed to weaken the forces of abstention by his discussion of agricultural problems with the Governor of Bombay and his appreciation of the Government's policy on the question of Indians in South Africa. The month Irwin arrived in India, *The Times of India* wrote of 'the completeness of the Congress collapse, the utter futility of the so-called Congress creed, and a total absence among Congress supporters of a single responsible political idea'; and there was little obvious reason, in the subsequent months of bitter squabbling, to alter this opinion. Nor was there any activity on the part of other groups to cause the Government concern. The North-West Frontier was tranquil, and industrial strikes were much fewer than in previous years. Communism had found its way into the country by 1922, and a Communist party was formed in 1925; but it had as yet made little headway. Agents were sent out from England with instructions to set up a Workers

<sup>1</sup> Speech at the British Indian Union: *The Times*, 16 May 1931.



and Peasants party as a legal cover and to infiltrate into the trade union movement and secure its leadership.<sup>1</sup> Yet in these years the Government regarded this activity as a potential danger to be watched rather than an immediate threat to be countered.

What, in fact, demanded immediate attention was the Hindu-Moslem problem. During the first twelve months of Irwin's viceroyalty there were forty communal riots. The first, and the most serious, of them was in Calcutta in April 1926. Spread out for over a month it involved the loss of at least 110 lives and the destruction of property of considerable value.<sup>2</sup> The Bengal Government, which throughout remained at Darjeeling, failed to foresee the outbreak and once rioting had started did not take adequate steps to control its momentum. According to the Governor the troops that were called out greatly enjoyed themselves;<sup>3</sup> this perhaps prevented them from carrying out their duties effectively. Reports of the rioting inflamed communal feeling in other parts of the country, and by the time order had been restored in Calcutta the general situation was worse than it had ever been before. Irwin, therefore, devoted his first major speech<sup>4</sup> to this question. Affirming that the Government, far from being pleased with these signs of Indian disunity, were doing their best to check disorders, he called on the leaders of the two major communities, in the name of true religion, to throw themselves into the fight for toleration. This seemed to him the first vital step, though he himself was prepared to convene an all-India conference to consider the problem. This appeal by one who was obviously a deeply religious person sounded a note which had been unheard in viceregal statements since the days of Lord Ripon<sup>5</sup> over forty years before, and struck a response in India. Motilal Nehru and

<sup>1</sup> P. Spratt, *Blowing up India* (Calcutta, 1955), p. 29.

<sup>2</sup> See Report of the Commissioner of Police, *The Indian Quarterly Register* (Calcutta), 1926, vol. i, pp. 70 ff.

<sup>3</sup> Lord Lytton, *Pundits and Elephants* (London, 1942), p. 168.

<sup>4</sup> Speech at the Chelmsford Club, Simla, 17 July 1926: *Indian Problems* (London, 1932), pp. 231 ff.

<sup>5</sup> George Frederick Samuel Robinson, second Earl and first Marquis of Ripon. His efforts to act as a Liberal Viceroy and his attitude in race relations made him the most popular Viceroy of the nineteenth century. B. 1827; Secretary of State for India 1866; became a Roman Catholic 1874; Viceroy of India 1880-4; d. 1909.

Maulana Abul Kalam Azad,<sup>1</sup> both respected Congressmen, sponsored the formation of an Indian National Union, a non-political organization to combat communalism. This new association was to undertake the establishment in all localities of boards comprising Hindus and Moslems to settle disputes between the two communities.<sup>2</sup> But neither this nor other similar efforts had any appreciable effect on the situation and Irwin in his address to the legislature in August was forced to stress the other aspect of the issue, and assert that Government would perform their duty of maintaining law and order.<sup>3</sup> That the problem was eating into the nation's vitals daily became clearer. In December 1926 Swami Srad-dhanand, a Hindu champion of proselytism, was murdered by a Moslem fanatic in Delhi. Throughout the next year politicians discussed terms, but communalism, even if it had gained strength as a political problem, was rapidly ceasing to be mainly such. The intensity of emotion aroused on both sides by the murder of Srad-dhanand found its vent in the *Rangila Rasul* affair. In 1924 a scurrilous attack on the founder of Islam entitled *Rangila Rasul*—'The Gay Prophet'—had been published at Lahore. The author was prosecuted and after a lengthy trial the lower court imposed both imprisonment and a fine. On appeal, however, the Lahore High Court held that prohibition of activity that might foster enmity among different classes of subjects could not be interpreted to prevent all adverse discussion of the life and character of a deceased religious leader. The accused, therefore, was acquitted. The decision was strongly resented and clearly with some reason, for the Allahabad High Court gave a contrary ruling, and the Lahore High Court itself in August set aside its earlier decision. A few weeks later the Government of India, to remove all ambiguity, secured the enactment of an amendment to the Indian Penal Code making deliberate insults to religion a substantive ground for prosecution. But by this time the agitation had spread up to and even across the North-West Frontier. An economic boycott

<sup>1</sup> B. 1889; served long terms of imprisonment; President of the Indian National Congress 1923 and 1939-46; Minister for Education in the Government of India since 1947.

<sup>2</sup> See Manifesto, 31 July 1926: *The Indian Quarterly Register* (Calcutta), 1926, vol. ii, pp. 90 ff.

<sup>3</sup> *Indian Problems*, pp. 19 ff.

of the Hindus was soon suppressed but a *mullah* (religious leader) carried the indignation to the areas inhabited by the Afridi and Shinwari tribes, and nearly 450 Hindus were either expelled or fled across the border.<sup>1</sup> This was an unusual occurrence which showed that communal animosity had overwhelmed the Frontier tradition of hospitality. Most tribes, however, were persuaded to receive back the Hindus and give assurances of safety<sup>2</sup> and though the Hindus were at first distrustful, about 330 returned by the end of the year.<sup>3</sup>

So in August 1927 Irwin, in his address to the Legislature, once more warned Indians that unless they exercised self-control, political self-government would be an empty name and merely serve to disguise something perilously akin to civil war. As the situation had worsened in twelve months, he now offered to summon a conference if the leaders of the major communities were willing.<sup>4</sup> The suggestion stung some prominent members of his audience to make the effort themselves; but the Unity Conference at Simla in September was inconclusive. While the Moslems insisted on considering political issues the Hindus preferred to discuss social and religious problems first. Meanwhile riots continued to occur sporadically in various parts of India. The appeal of the Congress for toleration and abandonment of forcible and secret conversions had no perceptible effect; and at its annual session it could only deplore officially the fact that during the year the tension between the two great communities had grown from bad to worse.<sup>5</sup> But by now communalism had ceased to monopolize the stage. On 8 November 1927 the personnel of the Statutory Commission to consider Indian constitutional reforms was announced; and the statement ended the period of political suspense.

<sup>1</sup> Bray, Foreign Secretary, 18 Aug. 1927: *Legislative Assembly Debates*, vol. iv, p. 3001.

<sup>2</sup> Chief Commissioner North-West Frontier Province to Foreign Secretary, 2 Sept. 1927.

<sup>3</sup> Memo. from Political Agent Khyber to Secretary to Chief Commissioner N.-W.F.P. No. 3569 dated 25/28 Nov. 1927.

<sup>4</sup> 29 Aug. 1927, *Legislative Assembly Debates*, vol. iv, pp. 3499 ff.

<sup>5</sup> Annual Report of the Secretaries of the Indian National Congress (Madras), Dec. 1927.

### III

#### BOYCOTT AND BARDOLI

THE Government of India Act of 1919 had provided for the appointment at the end of ten years of a commission to inquire into the working of the system of government, the growth of education, and the development of representative institutions in British India and to report whether and to what extent it was desirable to establish the principle of responsible government or to extend, modify, or restrict the degree of responsible government already existing. The appointment of such a commission was thus not due till 1929, and at first Birkenhead intended to adhere rigidly to this date;<sup>1</sup> but soon, 'as a matter of elementary prudence', to prevent the choice falling to a Labour Government, he decided that it would be necessary to appoint the commission not later than the summer of 1927.<sup>2</sup> At the time of the Montagu-Chelmsford reforms Birkenhead had been alone in the Cabinet in opposing them; and clearly he was not now prepared to risk the nomination of a body which might recommend further constitutional advance. The 1919 Act was therefore amended in 1927 to require the appointment of a commission within ten years. In selecting the personnel of this commission it was decided to restrict the choice to members of Parliament, as it was felt that the authors of the 1919 reforms had had in mind a quasi-judicial inquest carried out for the information of Parliament. The natural consequence was a wholly English commission; the two Indian members, of whom one was a Communist, could not be chosen merely for their race. Exclusion of Indian politicians would also carry the advantages of excluding the controversies with which Indian politics were riven and precluding the possibility of Indian and Labour members joining together to incorporate in the report ambitious aspirations which might prove embarrassing to Government.

<sup>1</sup> Letter to Reading, 4 Dec. 1924. Birkenhead, *op. cit.*, p. 245.

<sup>2</sup> Letter to Reading, Nov. 1925: *ibid.*

With a general election in the offing both the Conservative and the Labour parties restricted their choice from the House of Commons to the back benches; and the result was 'a terribly weak team'.<sup>1</sup> The only one of them of earlier repute or later distinction was Major Attlee;<sup>2</sup> and though his experience on this body was to have a deep influence on his own views and on British Indian development, no foresight lay behind his selection in 1927. Sir John Simon,<sup>3</sup> with his passionless legal mind and equable temperament, was regarded as the ideal chairman for a commission of this nature; but he was incapable of understanding the atmosphere and unequal to taking decisions and the commission did not even prove, as Dawson had hoped, 'a one-man show'.

In November Irwin, through the good offices of Vithalbhai Patel,<sup>4</sup> arranged an interview with Gandhi. From Mangalore in the far south Gandhi came to Delhi, determined not to allow any possible advance to go by default;<sup>5</sup> but the Viceroy merely gave him the text of the Secretary of State's statement on the eve of its publication. The cursory nature of the interview was disappointing to Gandhi and Indian opinion; they did not appreciate that the Viceroy was regarded by many as having gone alarmingly far in seeing Gandhi at all. But this disappointment was soon overlaid by the storm of protest raised by the announcement of the personnel of the commission. All parties were united in condemning what seemed to them a flagrant instance of

<sup>1</sup> Geoffrey Dawson, editor of *The Times*, to Irwin, 1 Nov. 1927: *The History of The Times, 1912-1948*, pt. ii, 1921-48 (New York, 1952), p. 865. Colonel Josiah Wedgwood was anxious to be a member. Birkenhead agreed, but his own leader Macdonald objected. See Wedgwood, *Memoirs of a Fighting Life* (London, 1940), p. 199. Wedgwood was popular with Indian leaders and had he been included at least a personal boycott would have been out of the question.

<sup>2</sup> Clement Richard, first Earl Attlee. B. 1883; M.P. 1922; Under-Secretary for War 1924; member of the Indian Statutory Commission 1927-30; Chancellor of the Duchy of Lancaster 1930-1; Leader of the Parliamentary Labour party 1935-55; member of the War Cabinet 1940-5; Prime Minister 1945-51.

<sup>3</sup> B. 1873; Solicitor-General 1910; Attorney-General 1913; Home Secretary 1915-16; Chairman of the Indian Statutory Commission 1927-30; Foreign Secretary 1931-5; Home Secretary 1935-7; Chancellor of the Exchequer 1937-40; accepted a viscountcy 1940; Lord Chancellor 1940-5; d. 1954.

<sup>4</sup> See correspondence in G. I. Patel, *Vithalbhai Patel: Life and Times* (Bombay, 1950), vol. ii, pp. 772-80.

<sup>5</sup> See letter written on the train, *Bapu's Letters to Mira* (Ahmedabad, 1949), p. 68.



racialism. Not since the Ilbert Bill<sup>1</sup> had racial feelings been stirred so deeply; and if then the Government of India had failed to discern the possible reactions of the British community, they blundered no less now in ignoring the sensitivity of Indians. Only the British non-officials had desired the appointment of an entirely non-Indian body.<sup>2</sup> The Viceroy's advisers seem to have believed, in a rather wishful manner, that if the Hindus were critical the Moslems would support the commission, and that fear of the Moslems securing the benefits of the commission's sympathy would prevent any large-scale attempt at boycott by the Hindus. This was the first, and greatest, mistake of Irwin's viceroyalty, and the fact that he had agreed to a colourless, and exclusively British, commission showed that he had as yet gained no insight into the minds of the Indian people. In his speech to the Legislature in February 1928 Irwin vehemently defended the decision of the British Government. Pointing out that Indians would be associated with the Joint Select Committee that would consider the commission's report, Irwin, in a passage drafted by himself,<sup>3</sup> asserted that no insult had been intended; 'what no man is entitled to say—for it is quite simply not true—is that His Majesty's Government sought to offer a deliberate affront to Indian honour and Indian pride'.<sup>4</sup> But however well-meaning the intent, the result was disastrous. No single step could have been better calculated to drive deep the rift between Government and the ruled.

Gandhi, still regarding himself as morally a prisoner and perhaps responding to the courtesy shown him by the Viceroy in supplying him with prior information, remained silent on the issue. But the Congress, meeting at Madras in December, found it useful for whipping up flagging energies. In many provinces the party was being relegated to a

<sup>1</sup> In 1883 the law member Sir Courtenay Ilbert introduced a Bill to remove judicial disqualifications based on race distinctions. It aroused vehement opposition and had substantially to be withdrawn.

<sup>2</sup> Letter of the President European Association Calcutta to the Secretary of State, 21 Feb. 1927.

<sup>3</sup> See letter of Cunningham, Private Secretary to Viceroy, to Haig, Home Secretary, 29 Dec. 1927.

<sup>4</sup> *Indian Problems*, p. 31.

secondary position by communal organizations,<sup>1</sup> and the boycott of British goods was relatively a failure.<sup>2</sup> Now came an opportunity to revive the political struggle with full vigour. Advantage could be taken of the new wave of disillusion. As a Congress leader remarked: 'First we believed in the British officials as a whole; then in the higher officials; then in the Viceroy; then in the British Government; then in Parliament; then in the Labour Party. All have failed. Now we only believe in our own efforts.'<sup>3</sup> The Congress called for a boycott of the commission 'at every stage and in every form', and Jawaharlal Nehru,<sup>4</sup> one of the younger leaders, secured the passage of a resolution declaring the goal of the Indian people to be complete Independence. He felt that though Dominion Status contained the substance of Independence it had the disadvantage of being the culmination of an evolutionary process; what India required was a revolutionary attitude which would enable her to break with the past. The resolution was passed almost unanimously, perhaps, as Nehru himself believes,<sup>5</sup> because it was not understood. His father Motilal Nehru, a man of moderate counsels, was away in Europe; Gandhi, though he disliked the resolution,<sup>6</sup> took no part in the proceedings; and the rest were willing to humour the younger Nehru. That they attached little significance to it is shown by another resolution proposing an All Parties Conference to draft a constitution; for the Liberal and most other parties regarded Dominion Status as the final objective. These parties too took the Independence resolution no more seriously, and were prepared to co-operate with the Congress both in framing a constitution and in organizing a boycott of the commission. It was the latter, however, which appeared to them the im-

<sup>1</sup> Presidential Address of Dr. M. A. Ansari, *Congress Presidential Addresses*, op. cit., p. 829.

<sup>2</sup> Report of the Secretaries of the Congress for 1927 (Madras).

<sup>3</sup> S. Srinivasa Iyengar to H. G. Alexander. See the latter's *The Indian Ferment* (London, 1929), p. 111.

<sup>4</sup> B. 1889; General Secretary of the Indian National Congress 1929; President of the Congress 1929, 1936, 1937, 1946, and 1951-4; Prime Minister of India since 1947.

<sup>5</sup> *Autobiography* (London, 1936), p. 167.

<sup>6</sup> See letter to J. Nehru, 4 Jan. 1928; D. G. Tendulkar, *Mahatma*, vol. viii (Bombay, 1954), p. 349; and article in *Young India*, 5 Jan. 1928.

mediate necessity. Sir Tej Bahadur Sapru,<sup>1</sup> the most eminent of the Liberals, stated that the choice of the personnel of the commission was destructive of the spirit of mutual confidence which alone could beget co-operation,<sup>2</sup> and the Liberal Federation joined the Congress in the boycott. Even the Moslem League was split; while Sir Mahomed Shafi<sup>3</sup> argued that any unanimous demand would be irresistible, no matter what the constitution of the commission,<sup>4</sup> a dissident group under Mr. Jinnah<sup>5</sup> supported the boycott. 'Jallianwala Bagh<sup>6</sup> was physical butchery. The Simon Commission is the butchery of our soul.'<sup>7</sup>

On this issue, then, most of the prominent leaders were united; and popular feeling was in a mood for organized battle. Trade unionism, though in its early stages, was spreading rapidly in the cities; and youth leagues and student organizations sprang up in all parts of the country, and especially in Bengal and Bombay presidencies. Faced with this unanimous opposition the Government of India decided to appease Indian sentiment without in any way diminishing the powers and responsibilities conferred on the commission by Parliament. They took up the matter with Simon and his colleagues who arrived in India on 3 February on a preliminary tour. Simon suggested that instead of inviting the views of joint select committees of the central and provincial legislatures the commission should associate with itself a corresponding body of representatives chosen by the Indian Legislature. Such a 'joint free conference' would enable the Indian wing to scrutinize memoranda and elicit testimony on free and equal terms. The Central Joint Conference would be present at all sittings while the provincial committees would join whenever subjects of concern to them were being discussed.<sup>8</sup>

<sup>1</sup> Advocate of the Allahabad High Court; law member of Viceroy's council 1920-3; d. 1949.

<sup>2</sup> Presidential Address to the All-India Liberal Federation, 27 Dec. 1927.

<sup>3</sup> Barrister of the Lahore High Court; President of the Moslem League 1913 and 1927; member of Viceroy's council 1919-24; d. 1932.

<sup>4</sup> Address at Lahore, 30 Dec. 1927.

<sup>5</sup> Mohammed Ali Jinnah (1876-1948). Barrister of the Bombay High Court; President of the Moslem League 1916, 1920, and from 1934 to his death; Governor-General of Pakistan 1947-8.

<sup>6</sup> The scene at Amritsar of General Dyer's action.

<sup>7</sup> Quoted in M. Noman, *Muslim India* (Allahabad, 1942), p. 265.

<sup>8</sup> Simon to Irwin, 6 Feb. 1928: *Report of the Indian Statutory Commission* (Calcutta, 1930), vol. I, pp. xvii ff.



The Government of India and the commission believed that this concession should satisfy Indian demands. Indeed *The Times* thought it over-generous;<sup>1</sup> and even now Earl Attlee seems to believe that the mistake lay in not taking and announcing this decision to appoint such a committee from the Indian Legislature simultaneously with the appointment of the Statutory Commission.<sup>2</sup> But the leaders of Indian opinion had justifiably no hesitation in rejecting this shadowy offer immediately. So long as the Indian committees could not share the authority and duties of the commission it was difficult to believe that they would enjoy equal status. No 'joint free conference' could take the place of the commission which alone could report to Parliament and whose recommendations alone would carry weight. Pressed to give an assurance that there would be no separate sessions of the commission, Simon only answered that he hoped such sessions would be few.<sup>3</sup> It is said that Birkenhead later decided in favour of the view of Irwin that the commission should hear no evidence *in camera* on its own.<sup>4</sup> But in fact the Viceroy and Simon agreed that the provincial governors, who played a key role in the administration, should meet the commission privately in personal interviews and not appear before the 'joint free conference'.

During the two months of their first visit the boycott of the commission was not very rigid, and a man of greater initiative and social ease than Simon could have broken the personal boycott.<sup>5</sup> As it was, however, the commission could establish no contact with representative opinion, and both in Delhi and elsewhere there were frequent 'black flag' demonstrations. But the members of the commission believed that these had been entirely swamped by the flood of genuine goodwill.<sup>6</sup> What appears to have caused more concern to the commission was the seeming attitude of aloof-

<sup>1</sup> *The Times History*, p. 865.

<sup>2</sup> *As it Happened* (London, 1954), p. 65.

<sup>3</sup> Letter to Sankaran Nair, 10 Feb. 1928: *The Times*, 11 Feb. 1928.

<sup>4</sup> See E. Cadogan, *The India We Saw* (London, 1933), pp. 111-12.

<sup>5</sup> Cf. the experience of the Royal Commission on Labour, which was also in India at this time: 'The boycott of us is not really taking. Partly because it's got round that we are honest people who "care"', also Mr. Whitley [the chairman] disarms boycotts, he is so human.' *Agatha Harrison*, an impression by her sister Irene Harrison (London, 1956), p. 58.

<sup>6</sup> Cadogan, *op. cit.*, pp. 61 ff.

ness of the Central Government and their refusal to prevent public demonstrations.<sup>1</sup>

But by the time the commission returned in October 1928 to commence its work in earnest, the boycott had gathered momentum. The explosion on the eve of the commission's arrival of a time-bomb in a railway train proceeding to Bombay alarmed the authorities; and the most rigorous precautions were taken. Special detectives with experience of dealing with political revolutionaries were enlisted from Bengal, the United Provinces, and Madras, a pilot engine or train was always run in advance of the commission's special train, and the whole track was carefully patrolled. It was clearly also now the Government's policy no longer to refrain from interference with demonstrations but to permit them only under certain conditions. When the commission reached Lahore on 30 October the police herded the crowd into a space opposite the station but distant enough to preclude bomb-throwing.<sup>2</sup> At the head of the crowd was Lala Lajpat Rai,<sup>3</sup> a veteran Congressman of the Punjab. Though opposed to the boycott<sup>4</sup> and in poor health, he was impelled by a sense of discipline to participate. There was a *lathi* (baton) charge. The police later contended that this action had been compelled by the crowd's efforts to force its way through a gap in the barbed-wire barricade and by its throwing of stones; but Lajpat Rai held that there had been no provocation.<sup>5</sup> He himself received two blows across the chest in what he alleged was a deliberate assault; but the Punjab Government asserted that none of the police officers on the scene knew Lajpat Rai by sight and a blow had fallen on an umbrella beneath which he had been standing. But no argument could be effective against the fact of Lajpat Rai's death on 17 November. There were few in India who did not believe that his end had been hastened by the nervous shock and perhaps also the physical injury caused by the

<sup>1</sup> Ibid., pp. 37 and 72.

<sup>2</sup> See statement of Chief Secretary in Punjab Legislative Council, 30 Nov. 1928.

<sup>3</sup> B. 1865; a lawyer by profession; President of the Indian National Congress 1920; d. 1928.

<sup>4</sup> See G. D. Birla, *In the Shadow of the Mahatma* (Calcutta, 1953), pp. 25-26.

<sup>5</sup> For official report and Lajpat Rai's reply see *The Indian Quarterly Register*, 1928, vol. ii, pp. 100 ff.

*lathi* blows, and this feeling swept away whatever hopes remained of breaking the boycott. At Delhi on 20 November a large crowd broke through the barriers and shouted insults at the members.

It was in the United Provinces, however, that the demonstrations assumed their ugliest aspect. The policy of the Provincial Government was to permit protest meetings held before the commission's arrival and to allow processions subject to the usual conditions of securing a licence and adhering to the route stipulated by the authorities. Demonstrations on the commission's arrival would also be allowed, but at a proper distance from the commission. In consonance with this policy the boycott committee in Lucknow was permitted by the Deputy Commissioner to take out processions on 23 and 24 November.<sup>1</sup> On these occasions there was no mishap, although the news of Lajpat Rai's death had exacerbated feelings; but thereafter the situation became unruly. On the 28th the police broke up a procession on a route which had been prohibited, and the next day there was a general strike in the city. A procession taken out without permission was dispersed with force. The Provincial Government believed that Jawaharlal Nehru and Govind Vallabh Pant<sup>2</sup> were hurt slightly, if at all. On the 30th the commission arrived. The boycott committee had sought permission to organize a 'black flag' demonstration near the station or the route, and the local authorities not merely allotted them a place opposite the station but even informed them when the commission would arrive. But Nehru and the other organizers were dissatisfied with the ground allotted and the altercation ended in a *lathi* charge. According to the local authorities, the actual occurrence was rather like the clearing of a football ground in England when the crowd have broken loose. Nehru, however, in a public statement, charged the Government with brutality.<sup>3</sup> Certainly his account did not,

<sup>1</sup> For the official version of events at Lucknow see the report of the Deputy Commissioner, 5 Dec. 1928, forwarded by the Chief Secretary United Provinces to the Home Department No. 1739Z dated 11 Dec. 1928.

<sup>2</sup> B. 1887; advocate of the Allahabad High Court; member of the Legislative Assembly 1934; Chief Minister of the United Provinces 1937-9 and 1946-55; Minister for Home Affairs in the Government of India since 1955.

<sup>3</sup> See *The Indian Quarterly Register*, 1929, vol. i, pp. 44 ff.

as the officials expected, carry its own refutation; rather the public was inclined to believe that the Government were prepared to sanction a free use of the baton in their efforts to protect the commission's prestige. Confirmation of this seemed forthcoming from Cawnpore three days later. Here too, to the annoyance of the commission,<sup>1</sup> official arrangements were made for demonstrations, but the authorities were unable to keep the demonstrators fifteen yards from the road, and being unwilling to use force, could do little to prevent the shouting of insults and the throwing of stones.<sup>2</sup>

The commission now protested to the Government of India against this policy of permitting demonstrators to express their sentiments provided there was no breach of the peace.<sup>3</sup> The United Provinces Government themselves now felt that their policy had been too lenient, and the Government of India, who had not been inclined to regard these demonstrations seriously,<sup>4</sup> now directed other provinces not to allow any protest meetings before the commission's arrival and to take the most elaborate precautions to prevent demonstrators from coming near the commission.<sup>5</sup> These instructions were dispatched too late to prevent a demonstration in Patna, and in Nagpur towards the end of the commission's tour a raucous crowd shouted slogans; but in Calcutta, despite the fact that the commission's meetings coincided with the annual session of the Congress, there was relatively little disturbance, and in Madras the authorities took care to ensure that the commission was received more favourably than had been its lot elsewhere.

The 'blood-red progress'<sup>6</sup> of the commission, then, more or less ended with the year; and in 1929 Simon and his colleagues enjoyed more quietude than before. The boycott had rendered travel irksome and hindered personal contacts, but it could not be said to have rendered the task of the

<sup>1</sup> See Cadogan, *op. cit.*, p. 163.

<sup>2</sup> Report of the Superintendent of Police at Cawnpore, 3 Dec. 1928.

<sup>3</sup> Cadogan, *op. cit.*, p. 167.

<sup>4</sup> See report of Irwin's conversation at Calcutta in Cadogan, *op. cit.*, pp. 161 and 163.

<sup>5</sup> Home Department's telegram 2746 S to Bihar and Orissa, Bengal, and Assam, 9 Dec. 1928.

<sup>6</sup> Gandhi in *Young India*, 6 Dec. 1928.

commission an insuperable one. Simon, indeed, was now confident of accomplishment.<sup>1</sup> If he was finally baffled, it was, as he himself foresaw, by the dimensions of the problem and not by the difficulties of his position. 'I sometimes feel as though I had been asked to spend two years over a gigantic crossword puzzle, with the tip whispered into my private ear that the puzzle has *no* solution.'<sup>2</sup> But he could not attribute his lack of success to the failure of the parties united in boycott to provide the clues. Not merely were the views of the Congress and Liberal parties well known but they were now clearly restated. In furtherance of the resolution passed at the Madras session the President of the Congress convened an All Parties Conference at Delhi in February 1928. This conference, to avoid dissension on the Independence issue, voted for 'full responsible government'—a phrase which was vague enough to comprise both Dominion Status and Independence. Meeting again at Bombay in May the conference appointed a sub-committee to determine the principles of a constitution. Its president was Motilal Nehru, and of its members the most eminent was Sapru. These two could be expected to carry with them the bulk of opinion in the Congress and Liberal parties respectively; and the Jinnah wing of the Moslem League was willing to co-operate. The Nehru Report<sup>3</sup> was published in August. Its chief merit lay in its effort to reach the highest common measure of agreement on the political issue and link with it a solution of the communal problem. The report regarded Dominion Status as the next immediate objective, the political parties which merited consideration being agreed that India's status and position should in no case be lower than that of the self-governing Dominions. The India Office should therefore be abolished and 'full responsible government' transferred to the people of India. As for communalism, it resolved itself in its political aspect into the issues of separate electorates and reservation of seats for minorities, the formation of Sind into a separate province with a Moslem majority, and the introduction of reforms in the North-West Frontier Province and Baluchistan. The committee suggested that separate

<sup>1</sup> Simon to Dawson, 12 Jan. 1929: *The Times History*, p. 869.

<sup>2</sup> Ibid.

<sup>3</sup> *All Parties Conference: Report of Committee* (Allahabad, 1928).



electorates should be discarded, but reservation of seats, though as bad in principle as communal representation, should be granted for ten years to Moslems in the provinces where they formed minorities and to non-Moslem minorities in the North-West Frontier Province and Baluchistan. Minorities would receive no weightage in representation, but could contest additional seats. 'The retention of communal representation to this extent for some time to come is in our opinion a necessary evil.' Sind should be separated from Bombay and the North-West Frontier Province and Baluchistan granted the same constitutional status as other provinces.

The Nehru Report was the constructive aspect of the boycott. Refusal to co-operate with the commission did not mean mere sulking on the side-lines; the representatives of the Congress and Liberal parties themselves tried their hand at constitution-making. But parallel with this somewhat academic effort the Congress was also forging and testing its weapon. The most challenging aspect of civil disobedience is the refusal to pay taxes. The first organized movement in modern Indian history against the payment of land revenue was in Kaira district in Bombay in 1918. Gandhi had invited all the peasants to pledge themselves solemnly not to pay revenue in cases where they considered the crop was worth less than four annas; but almost the whole amount was realized and the movement was for all practical purposes a failure. Four years later the Congress planned no-tax campaigns in Bardoli in Bombay, Tippera in Bengal, and Guntur in Madras. In Bardoli Gandhi convened a conference representative of the inhabitants of the *taluk* (sub-division), and it was resolved to refuse to pay all taxes due to Government in face of all consequences, for readiness to sacrifice property, suffer imprisonment, and lose one's life was indispensable for the progress of the people and the attainment of freedom. Non-payment of taxes had thus ceased to be a consequence of economic distress and become a measure of political sanction. Gandhi had chosen Bardoli *taluk*, in Surat district, not on the ground that the economic conditions there were particularly stringent, but because a number of his disciples in South Africa had been from

Bardoli, and he felt that his influence in that *taluk* could do much to make any no-tax campaign a success. Developments elsewhere, however, led him to withdraw the whole movement of civil disobedience in 1922 before the effort in Bardoli could secure impetus. In 1928 a campaign against the capitation tax sprang up in Burma, particularly in Prome, Insein, and Tharrawaddy districts,<sup>1</sup> but had little political overtones, and the situation was restored almost to normal in a few months. But more serious was the recrudescence of revolt in Bardoli. The year before, this part of the country had been afflicted with heavy floods, and the local Congress workers, under the leadership of Vallabhbhai Patel,<sup>2</sup> the brother of the President of the Legislative Assembly and the ablest organizer in the party, were prominent in alleviating distress. The Government, indeed, were inclined to believe that the relief campaign was not altogether altruistic.<sup>3</sup> Certainly the Congress had strengthened its position in this area since the time when Gandhi had chosen Bardoli as one of the places for his experiment; and now the issue of payment of land revenue once more came to the fore, without the wider context of general civil disobedience.

In this *taluk*, where land revenue settlements were for thirty years, a revision was due in 1926. It was perhaps the only *taluk* in the Bombay Presidency where there had been no need, throughout the period of the 1896 settlement, to have resort to coercive action for recovery of revenue; and this now encouraged the Settlement Officer to increase the assessment. He believed that though the yield had not increased, the fall in the purchasing power of money alone would justify an enhancement of over 30 per cent.; and as he proposed an enhancement of about 25 per cent. he did not think it necessary to inquire carefully into the actual increases in the leasing and selling value of land. The Settlement Commissioner criticized this proposal which was based solely on the gross value of produce. As high crop prices might not be stable the Settlement Officer had taken refuge

<sup>1</sup> *India in 1928-29* (Calcutta, 1930).

<sup>2</sup> B. 1875; practised law at Ahmedabad in Bombay Presidency; President of the Indian National Congress 1931; Deputy Prime Minister of India from 1947 till his death in 1950.

<sup>3</sup> See note of the Joint Secretary Home Department.



in a 'fair and equitable' assessment; but this was a haphazard and insecure basis for a thirty-year settlement which under any circumstances seemed a task beyond human power. Nor had he certain information that the cost of production had not risen commensurate with the rise in crop prices.

Yet, despite this severe criticism of the Settlement Commissioner, the Bombay Government ordered an enhancement of 22 per cent. and collection at these new rates from 5 February 1928. This arbitrary decision grounded on a cursory and unsatisfactory inquiry incited opinion in a *taluk* which was not unaccustomed to defiance. The peasants were willing to pay at the old rates and refused only the enhancement, but Vallabhbhai Patel, whose leadership they had sought, urged them, with Gandhi's approval, to pay nothing until the enhancement had been cancelled.<sup>1</sup> The no-tax campaign was inaugurated on 12 February. Almost all the landholders refused to pay revenue, disregarded the penalty notices, and locked themselves in with their cattle. The Bombay Government, however, not merely provided Bardoli with a just grievance but failed to realize the far-reaching implications of this campaign. The local officers were not alive to the situation and regarded it as a minor dispute about reassessment rather than as an effort on the part of the entire population of a *taluk* to challenge and paralyse the Government. It was virtually civil disobedience, which required, under the standing instructions of the Government of India,<sup>2</sup> prompt and firm action against the leaders, unhesitating application of the coercive processes of the revenue law, and a sufficient display of force. But in Bardoli the authorities seemed content with serving notices and attaching movable property such as buffaloes. It was only when the Government of India drew their attention to the potential dangers of the situation that the Bombay Government realized that the campaign was likely, and was perhaps even intended, to discredit the administration.<sup>3</sup> As the attachment of crops and

<sup>1</sup> M. Desai, *The Story of Bardoli* (Ahmedabad, 1929), p. 42; Bombay Presidency Weekly Letter to the Government of India, No. 7 dated 25 Feb. 1928.

<sup>2</sup> Letter of Home Secretary to all Local Governments and Administrations No. 1223 Political dated 24 Nov. 1921.

<sup>3</sup> Telegram of Bombay (Revenue) to Home Department, 7 Mar. 1928.

movable property had met with little or no success they proposed forfeiture of occupancy rights and began negotiations in the adjoining Baroda state for the sale of such forfeited holdings; but they still regarded action against the organizers of the campaign as neither feasible nor expedient.<sup>1</sup> Their hesitation was caused by uncertainty as to whether Patel's organization could be regarded as an 'unlawful association' as defined by the law. A reference to the Government of India would have resolved their doubt; for the Government's legal advisers were convinced that the allotment of specific duties to *satyagrahis* (passive resisters) and the collection of funds resulted in an association, and interference with the law to prevent payment of revenue or execution of coercive processes or cultivation by new owners made any such association unlawful.<sup>2</sup> This delay on the part of the Bombay Government, however, enabled Patel to strengthen his organization. Even social boycott and excommunication were utilized in moderate measure to secure a united opposition.<sup>3</sup> By the middle of April Patel had the whole *taluk* arrayed in passive resistance, and towards the end of May he stated his terms: revenue would be paid at the old rates if Government instituted an impartial public inquiry on agreed terms of reference, restored forfeited lands, and released *satyagrahi* prisoners.

By now Bardoli had become a test issue. A limited community was united in protesting against a specific grievance; and while the rest of India took no sympathetic action, all attention was centred on the reactions of Government. It was of course open to them to crush this resistance; but would they prefer to such a 'doctrine of frightfulness' the reconsideration of what was generally believed to be an erroneous decision? Gandhi stated the issue squarely,<sup>4</sup> and placed the Government of India in a quandary. The policy of the Bombay Government of forfeiting and selling land, first of non-agriculturists and then of the peasants, had proved slow and ineffective. By the beginning of July all

<sup>1</sup> Telegram of Bombay (Revenue) to Home Department, 22 Mar. 1928.

<sup>2</sup> Note of L. Graham, Law Secretary, 13 July 1928.

<sup>3</sup> Desai, *op. cit.*, p. 170.

<sup>4</sup> Article in *Young India* cited in Desai, *op. cit.*, p. 247.

holdings of non-agriculturists totalling about 15,000 acres had been declared forfeit but only about 1,600 acres had been sold; and about 50,000 acres of land belonging to agriculturists and forming half the total had been forfeited but not sold. The occupants were still tilling the land despite warning that the crop would be deemed the property of Government. The Provincial Government intended to seize if necessary the whole cotton crop and to move troops into the *taluk*; but the Government of India were by no means convinced of the strength of their case. By July only a sixth of the revenue had been collected, and to employ military force against a whole section of the population to secure the remainder involved the surrender of the principles of British rule in India. Irwin summoned Sir Leslie Wilson,<sup>1</sup> the Governor of Bombay, to Simla, declined to sanction special powers to crush the campaign, and directed him to meet Patel and offer a special official inquiry into the settlement if the revenue be paid and the movement abandoned. On 18 July Wilson met Patel but the latter declined these terms, and in the House of Commons the Under-Secretary Lord Winterton threatened that the *satyagraha* movement would be destroyed. At Simla, however, wiser counsels prevailed and a compromise was silently reached.<sup>2</sup> The Government released prisoners and restored forfeited lands, and Patel on his part dropped his demand for an inquiry into the coercive measures adopted by Government and instructed the peasants to pay revenue at the old rates. The enhancement was also to be paid but held in deposit by the Government; and purchasers of forfeited lands were persuaded to restore them. A committee consisting of a district judge and a senior revenue official held a public inquiry and concluded that the figures on which the Settlement Officer had based his revision were carelessly contrived and wholly unreliable, and the grievances of the cultivators were substantially justified;<sup>3</sup> and the Bombay Government agreed to a considerable reduction in the land revenue rates.

<sup>1</sup> B. 1876; M.P. 1913; Government Whip 1921-3; Governor of Bombay 1923-8; Governor of Queensland 1932-46; d. 1955.

<sup>2</sup> Desai, *op. cit.*, pp. 257 ff.

<sup>3</sup> Report of the Maxwell Broomfield Committee; *The Times*, 8 May 1929.

The Bardoli no-tax campaign formed a landmark in the career of Patel, the history of *satyagraha*, and the viceroyalty of Irwin. It established Patel as one of the great captains of the nationalist movement, and showed to India and the world that when the cause was just and the people knew what they fought for, peaceful resistance, if well organized, could prevail. Gandhi and the Congress were heartened by this proof of the efficacy of their method. There was no reason why it should not be as successful when employed to redress a national rather than a local wrong. But the effort at Bardoli succeeded only because there was at the head of the Indian administration one who was not blinded to reason and equity. The character of Irwin's term of office had begun to unfold.

## IV

### MARKING TIME

THUS the answer of the Congress to the appointment of the Simon Commission had been a comprehensive one. The body sent out by Parliament was boycotted with substantial success, an alternative report was drafted, and the ultimate sanction was tested at Bardoli. Even Gandhi, who had warned Congressmen that the appointment of the commission needed for an answer not heroic speeches or brave declarations but adequate corresponding action,<sup>1</sup> seemed fairly satisfied. If the Nehru Report, deliberately pitched at a low key, could become the accepted articulation of the 'National Demand', then it could prove well nigh irresistible. It was in high hope of such unanimity that the Congress, despite Gandhi's stated desire, preferred Motilal Nehru to his son as President of the 1928 session. The elder Nehru was not merely one of the prime authors of the report but was regarded as an influence for conciliation, which made him, in Gandhi's words, 'an eminently worthy ambassador of a nation that is in need of and in the mood to take an honourable compromise'.<sup>2</sup> But soon all these plans went awry. Jawaharlal Nehru, though the secretary of the committee which framed the Nehru Report, could not reconcile himself to the tacit discarding of the demand for unqualified Independence. In August 1928 he helped to organize the Independence for India League; and the younger men in the Congress, rejecting Gandhi's advice to wait, came to Calcutta in December determined to be unaccommodating. To Gandhi's vigorous advocacy of Dominion Status and the Nehru Report the younger Nehru replied that acceptance of any goal short of complete severance of association with Britain would break the spirit of national resistance. Finally a compromise was reached; if Britain did not accept the Nehru Report by the end of 1929 the Congress would organize a campaign of non-violent non-co-operation.

<sup>1</sup> *Young India*, 12 Jan. 1928.

<sup>2</sup> *Ibid.*, 26 July 1928.



Even this did not satisfy Jawaharlal Nehru, who absented himself when the resolution was put to the vote, for the resolution said nothing about Independence. But this polite ultimatum took the Congress far from its earlier willingness to reach a settlement with Britain. No one at Calcutta really believed that the resolution would bring nearer the final moment of decision; it only made clear, both to themselves and to the Government, that the next year would be spent by Congress in preparing for a civil disobedience movement. Gandhi had been carried forward by the current; and though he was hesitant to accept active leadership,<sup>1</sup> there was no doubt among the rank and file as to who was best fitted to organize the impending campaign. But the Calcutta session of the Congress marked more than the end of its phase of constitutional activity; it destroyed all hopes of a settlement with the Moslem politicians. The leadership of this community had till now been divided; while Sir Mahomed Shafi and many others believed that the political future of Moslems lay in their maintaining themselves as a separate group, a few desired the strengthening of Indian nationality transcending religious differences. Of these the most prominent outside the Congress was Jinnah. A brilliant barrister of Bombay, he believed that continuance of foreign rule in India was primarily due to the fact that the people, particularly the Hindus and Moslems, were not united and did not sufficiently trust each other. He devoted himself, therefore, to this task, and was the chief sponsor of a conference of Moslems in March 1927, which accepted the general principle of joint electorates with reserved seats for minorities provided the reforms were introduced in the North-West Frontier Province and Baluchistan and Sind was made a separate province. In December 1927 he elaborated his proposals to include reservation for Moslems of a third of the seats in the Central Legislature. The Nehru Report, however, made no mention of such separate Moslem representation in the Central Legislature, and granted reservation of seats in the provinces only for ten years. It was therefore vehemently criticized by many Moslem leaders, and Jinnah

<sup>1</sup> See his remark to B. C. Roy, the Congressman from Bengal: K. P. Thomas, *B. C. Roy* (Calcutta, 1955), p. 164.

realized that Hindu-Moslem relations overshadowed all other problems.<sup>1</sup> At the All Parties Conference which met at Calcutta alongside the Congress session to consider the Nehru Report, he demanded for the Moslems a third of the elected seats in both Houses of the Central Legislature, reservation of seats in case of adult suffrage in the Punjab and Bengal, vesting of residuary powers in the provinces, and the unconditional separation of Sind. These proposals were rejected, and Jinnah seems to have been at last convinced that Hindu-Moslem unity, however desirable, was beyond reach. 'This', he is reported to have told a friend,<sup>2</sup> 'is the parting of the ways.' Certainly thereafter he never looked back. Step by step, however thwarting to his own gifted personality, he moved forward on the road which was finally to end in the division of India and the creation of a separate Islamic state. The All Parties Conference of December 1928 marked the turning-point in the life of Jinnah and in the history of the sub-continent.

So the end of the year saw the Congress preparing for struggle and losing the support of all sections of Moslem opinion outside its own ranks. Gandhi envisaged no severe campaign. The constitutional scheme embodied in the Nehru Report would be the war-cry and boycott of foreign cloth and liquor the programme of action.<sup>3</sup> But the Government of India showed greater concern than was warranted by this mild measure of opposition. However alarmed Simon might be at the Viceroy's meetings with Gandhi on social occasions,<sup>4</sup> Irwin had no intentions of burking the issue. He publicly declared that while the Nehru Report was doubtless entitled to serious consideration, Parliament could never accept a position which would reduce it to being a mere registrar of the decisions of other persons.<sup>5</sup> So Government girded themselves for the struggle; and they were convinced that this struggle would overflow the limits which Gandhi seemed anxious to set it. He and Motilal Nehru would be unable

<sup>1</sup> M. H. Saiyid, *Mohammed Ali Jinnah* (Lahore, 1945), p. 400.

<sup>2</sup> H. Bolitho, *Jinnah* (London, 1954), p. 95.

<sup>3</sup> *Young India*, 17 Jan. and 28 Feb. 1929.

<sup>4</sup> When Irwin met Gandhi at President Patel's residence Simon wrote warning him against any parley with the enemy: Cadogan, *op. cit.*, p. 234.

<sup>5</sup> Speech to the Central Legislature, Jan. 1929: *Indian Problems*, p. 63.



to control the younger leaders who seemed to be organizing themselves to secure Independence by force. When the idea of Independence first emerged in 1927 the Home Department had been inclined to regard it as visionary; but the movement had now developed into a dangerous one, implacably hostile, which if not dealt with at once would grow rapidly in strength and in a year or two become really formidable.<sup>1</sup> A party, small but active, was organizing itself to create widespread unrest. While the language of non-violence was still usually maintained, the thoughts were clearly those of violence; and when in order to create an atmosphere favourable for launching a major mass campaign illegal actions were performed, Government would be taking a very heavy responsibility if they declined to act. Nothing could give such a movement greater impetus than a popular belief that the Government were afraid to act, but if prompt action were taken against some leaders and, if necessary, steadily continued, it was likely to result in disorganization and weakening of morale, thereby making any later general campaign more difficult. The Home Department therefore favoured prosecution of Jawaharlal Nehru for his speech to the Bombay Youth Conference at Poona in December and similar action, when the opportunity offered, against Subhas Chandra Bose,<sup>2</sup> the Bengal Congressman who was even more radical than Jawaharlal. But while legal opinion regarded Nehru's speech as punishable, the Bombay Government felt that action was inadvisable as the utterance might secure only a nominal sentence;<sup>3</sup> and neither the Government of India nor the Bengal Government were inclined to take notice of the speeches delivered at the Congress session, as this might close that party's ranks and compel even the moderate elements to challenge the Government likewise.<sup>4</sup>

The Government of India, however, were not willing to rest on these negative decisions. The situation was too inflammable for that. In addition to the growing influence

<sup>1</sup> Note of Secretary Home Department, 4 Jan. 1929.

<sup>2</sup> B. 1897; President of the Indian National Congress 1938 and 1939; escaped to Germany 1941; formed the Indian National Army 1943; killed in an air crash 1945.

<sup>3</sup> Letter of Bombay Government S.D. 45 dated 11 Jan. 1929.

<sup>4</sup> Note of Secretary Home Department, 4 Jan., and letter of Bengal Government 387PS dated 28 Jan. 1929.

of the revolutionary groups in the Congress, there was considerable unrest among industrial labour, particularly in Bombay. In that city the textile industry had been paralysed for the greater part of 1928. This was mainly, of course, due to the wretched living conditions of the Indian factory workers. The Whitley Commission computed that in Bombay 97 per cent. of the working classes lived as families of six to nine persons in one-room tenements, the overcrowding in Calcutta was probably greater than in any other industrial area in the country, and the slums of Ahmedabad presented pictures of terrible squalor.<sup>1</sup> But what alarmed the Government was the growing influence of Communism. Hardly a single public utility service or industry was now unaffected. Agricultural and factory workers of all types, coal miners, policemen and even scavengers were all subjected to, and frequently succumbed to, the influence of Communist teachings. In December 1928 the Communist party affiliated itself to the International, and there was evidence that foreign (including Russian) agents with subsidies had been participating in organization.<sup>2</sup> So the Government of India thought it necessary to convey their sense of the situation to local governments, who if left to themselves were unlikely to show any initiative, and to give instructions to cover every contingency.<sup>3</sup> Stating their belief that the Calcutta session of the Congress represented a clear triumph for extremism, they warned all authorities to expect in the coming year the rousing of anti-Government feeling in every possible way. The Congress would find it difficult to recede from its definite declaration of future war, and while the older leaders doubtless disliked it the decision of policy appeared to lie hereafter almost entirely with the younger men. As for the Communists, they did not seem to be very clear about their ultimate objects; but they had been concentrating, with marked success, on rousing in industrial labour a spirit of discontent and lawlessness, and in fact there was little to distinguish them from the political extremists. Many Con-

<sup>1</sup> *Report of the Royal Commission on Labour in India* (Calcutta, 1931), pp. 270 ff.

<sup>2</sup> M. R. Masani, *The Communist Party of India* (London, 1954), pp. 28 ff.; Spratt, *op. cit.*, p. 40.

<sup>3</sup> See Note of Secretary Home Department, 2 Feb. 1929.

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Ministry of S. R. & O. A.  
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gressmen were genuinely attracted by Communism, and there was a tendency for the political and the Communist revolutionaries to join hands. Serious potentialities of danger therefore existed. It might, of course, be hoped that the movement would die down from its own inherent weakness, that differences of opinion would develop, and that moderate elements would range themselves effectively against it. Yet in the past such anticipations had not usually been borne out, and it would be wise to deal with the movement instead of waiting for it to peter out. So the provincial governments were instructed not to hesitate to act if necessary. If advocacy of Independence was giving rise to a dangerous spirit it should be checked; youth movements and volunteer organizations should be carefully watched; and boycott efforts should be dealt with firmly before they assumed formidable shape, as at Bardoli. While local governments were the best judges of the particular action necessary in any given circumstances, the Government of India had no doubt that what was required was a vigilant and firm administration of the existing law.<sup>1</sup>

However, the authorities at Delhi were not reluctant to amend the law when required. In 1928 two Bills had been introduced to check the spread of Communism, especially among trade unions. One of these, the Public Safety Bill, sought to empower the Government to deport non-Indians participating in subversive activities. The Select Committee limited the Bill in the first instance to five years and exempted from its provisions British subjects ordinarily resident in British India. Even so the Bill was rejected by the Assembly, the President exercising his casting vote against it. This was indeed but one of the many skirmishes at this time between Patel and the government benches, a quarrel that was soon embittered on both sides by personal rancour. It was even widely believed that the Government had been instigating some European journalists to question Patel's fairness; and Patel openly sought to place obstacles in the Government's path. 'Sweet reasonableness towards the British was no part of my duty as I understand it.'<sup>2</sup> Irwin, though head of the

<sup>1</sup> Secretary Home Department to all Local Governments and Administrations 21 Feb. 1929.

<sup>2</sup> Patel, *op. cit.*, vol. ii, p. 689.

Government and determined that its interests should not suffer, kept aloof from narrow controversy and impressed on the country that he was no unbridled partisan. As he directly informed Patel, he was aware of the latter's actions, but 'I will forget all your antics'.<sup>1</sup> Motions regarded as injurious to the public interest were disallowed only after Patel had admitted them. More serious was Patel's refusal in April 1929 to permit a revised Public Safety Bill to be introduced. That the Government's concern at the situation was not unjustified seemed, however, to be borne out by a bomb explosion four days earlier in the Assembly Chamber itself. This was the climax of the activities of a terrorist organization, the Hindustan Republican Association, formed at Allahabad in 1925. Its influence had permeated into the Punjab, and its members shot dead in December 1928 a police officer regarded as one of those responsible for the death of Lajpat Rai. In 1929 they started the manufacture of bombs,<sup>2</sup> and in April, gaining access to the House, they dropped two from the galleries and fired some revolver shots before surrendering. The police believed it was a conspiracy with intent to murder,<sup>3</sup> but the arrested men pleaded that deliberately the bombs had been kept weak and the shots fired wildly to cause more noise than harm and merely prove to both the Government and the Congress that the era of non-violence was over.<sup>4</sup> But whatever the intent it was an outrage and a portent. Irwin, therefore, to counter the President's veto of the Public Safety Bill, promptly promulgated an ordinance but declined to sanction any action against Patel. A vote of censure had been contemplated, but as the President was the authorized interpreter of rules the Viceroy preferred to point out the impracticability of his rulings rather than to challenge them.<sup>5</sup>

Patel's ostensible reason for disallowing the revised Public Safety Bill was that it impinged on what had already become

<sup>1</sup> Ibid., p. 688.

<sup>2</sup> J. N. Sanyal, *Sardar Bhagat Singh* (Allahabad, 1931), pp. 27 ff.

<sup>3</sup> Director Intelligence Bureau to Home Secretary, 26 Apr. 1929.

<sup>4</sup> Statement of accused, 12 June, and statement of approver, 26 Nov. 1929: Lahore Conspiracy Case Proceedings.

<sup>5</sup> See speech to the Legislative Assembly, 12 Apr. 1929; also letter to Dawson, *The Times History*, p. 871.

the subject of judicial process. Early in 1929 the police authorities informed the Home Department that there was sufficient material to secure the conviction for conspiracy against the King-Emperor of twenty-two leading Communists in India. The Communist International had stated categorically its intention to promote a revolution in India, and the Indian Communist party, with financial and other assistance from its British counterpart and even from the Soviet Union, was working to this end. Almost smothered in embryo by a successful prosecution for conspiracy in 1924, the party was now, under the guidance of an Englishman, Philip Spratt,<sup>1</sup> gathering strength. While there was little evidence of serious endeavour to tamper with the loyalty of the armed forces, efforts were being made to win over the industrial workers and intensify mass movements.<sup>2</sup> The Government of India decided, after consultation with local governments, to seek expert legal opinion and, if assured of success, to prosecute for conspiracy to deprive the King of the sovereignty of British India. Such a trial would doubtless take many months and be most costly, but time and expense were of little account in comparison with the advantages of success. Without entailing legislation and the acquisition of special powers it would deal the Communist movement almost a mortal blow. While the case was in progress the party would be paralysed, for it was dependent on the energies of a few leaders; and if sentences were secured the organization would be destroyed and Communist aims and methods exposed by a judicial pronouncement generally regarded as free from bias. Thereafter the Government could proclaim certain Communist-sponsored associations such as the Workers and Peasants party to be illegal.<sup>3</sup>

The Home Government, however, were less enthusiastic. The case would not be initiated soon, and if the lawyers finally advised that prosecution might not be worth while much time would have been wasted. It seemed more prudent to deport the Englishmen concerned once the Public Safety

<sup>1</sup> Arrived in India 1927; in jail with a short interruption from 1929 to 1936; thereafter gradually moved away from Communism.

<sup>2</sup> See note of the Director Intelligence Bureau, 15 Jan. 1929.

<sup>3</sup> Telegram from Viceroy (Home) to Secretary of State P. No. 257S dated 19 Jan. 1929.



Bill had become law and institute legal proceedings against the Indian leaders alone. But the Secretary of State was willing to defer to the Indian Government's judgement,<sup>1</sup> and the latter were assured by Langford James, a senior barrister of Calcutta, that they had a cast-iron case. Yet even cast-iron cases are subject to a jury's whims, and the two centres of Communist activity were Bombay and Calcutta, cities in which a case of conspiracy would have to be tried by a High Court Bench with a jury. Neither Langford James nor the Home Department was prepared to run this risk. However good the case, there could be no assurance that a jury would convict, and the Government were not prepared to prosecute unless they were certain of securing a conviction.<sup>2</sup> They therefore suggested that the case be instituted in Meerut, a small town near Delhi. The fact that a branch of the Workers and Peasants party was located there and Spratt and some other Communist leaders had occasionally visited the town could be used to justify this decision. The two Englishmen whose arrest was contemplated might protest that they were being deprived of trial by jury; but trial by assessors was the norm of Indian criminal procedure and only in a few places was conspiracy against the State triable by a jury.

When the matter was referred to the Executive Council it was only the Finance Member, Sir George Schuster,<sup>3</sup> who recorded even a mild protest. He regretted the necessity of anything which appeared like manœuvring in this matter, but agreed to the proposal being put up to the Secretary of State.<sup>4</sup> So the concurrence of the Home Government was sought. It was pointed out that in criminal cases the choice of venue lay with the prosecution, and if trial by jury were not avoided the defence might take a political line in which case the chances were that a jury would acquit. So if the Secretary of State could not agree to Meerut as the venue the case would have to be dropped and the Indian Government

<sup>1</sup> Secretary of State's telegram to Viceroy (Home) P. No. 648 dated 21 Feb. 1929.

<sup>2</sup> See note of Home Secretary to members of Viceroy's Executive Council, 20 Feb. 1929.

<sup>3</sup> B. 1881; director of numerous companies 1906-14; financial secretary to the Sudan Government 1922-7; finance member of Viceroy's council 1928-34 M.P. 1938-45.

<sup>4</sup> Note, 21 Feb. 1929.

deprived of what they were convinced was, in the circumstances, much the most effective weapon against Communism. As for the suggestion that the Englishmen be deported, this would be a clear failure of justice and suggestive of racial discrimination, for the prime mover in the conspiracy was Spratt.<sup>1</sup> The Secretary of State agreed not to press his objections further,<sup>2</sup> and on 14 March the Viceroy's council sanctioned the arrest of thirty-one Communists on the 20th morning,<sup>3</sup> the day before the revised Public Safety Bill was to be taken up in the Legislative Assembly.

Once the arrests were made the Government were anxious to launch the case as soon as possible and secure an early decision. It was necessary that the Communist movement should be declared illegal by a court of law before it had recovered from this sudden blow; and it would be convenient to end the proceedings before the Public Safety Bill was brought forward again.<sup>4</sup> There had been widespread criticism of the Government's action; Gandhi himself described it as an instance of the 'reign of lawlessness under the guise of law' and intended not to kill Communism but to strike terror;<sup>5</sup> and a judicial pronouncement sustaining the executive seemed the best answer. The lawyers, however, found it no easy task to sift the enormous material that was relevant to the establishment of such a general charge of conspiracy. They thought it necessary to arrest two more men, one of whom was an Englishman, Lester Hutchinson,<sup>6</sup> but recently arrived in India. And once the case was opened in June 1929 it dragged its slow length for years. The accused found themselves the objects of considerable sympathy both in India and in England. The Congress party helped to organize their defence, and influential opinion in the British Labour party disliked the refusal to grant bail and the evasion of trial by jury.<sup>7</sup> H. N. Brailsford, then in

<sup>1</sup> Telegram of Viceroy (Home) to Secretary of State P. No. 927S dated 27 Feb. 1929.

<sup>2</sup> Secretary of State's telegram to Viceroy (Home) P. No. 891 dated 19 Apr. 1929.

<sup>3</sup> Order in Council, 14 Mar. 1929.

<sup>4</sup> Letter of Home Secretary to Langford James No. D. 347 Poll. dated 29 Apr. 1929.

<sup>5</sup> *Young India*, 4 Apr. 1929.

<sup>6</sup> In India 1928-33; M.P. 1945-50.

<sup>7</sup> See the letter, signed among others by H. G. Wells, Harold Laski, and R. H. Tawney, in the *Manchester Guardian*, 8 Dec. 1929.



India, gave evidence to prove that every Socialist party in Europe performed most of the acts and preached most of the doctrines for which these men were being prosecuted; and it was widely believed in England that agitation for industrial welfare was being treated as political sedition.<sup>1</sup> This was specially embarrassing to the Labour Ministry which came into office in the summer of 1929. The Communists, therefore, well treated in jail and provided with an enviable forum for propaganda,<sup>2</sup> were in no haste to secure a decision; and it was only in 1933 that the Allahabad High Court, on appeal from the special sessions court, ended the case by acquitting several of the accused and reducing drastically the sentences passed on others.

So finally the Meerut Conspiracy Case neither effectively exposed the objectives of the Communist party nor secured a satisfactory legal basis for action against it under the ordinary law. But in June 1929 the Government had not yet cause to regret their action; rather, they could congratulate themselves that the most prominent Communist leaders had been removed from the scene. The result was a marked improvement for the rest of the year in the industrial situation, and a short strike in Bombay was distinguished by its isolation. And even this strike, though regarded by Sir Frederick Sykes,<sup>3</sup> the Governor of Bombay, as a consequence of earlier Communist activity, was really attributable to the unsatisfactory relations between capital and labour in Bombay—a state of affairs which no Communists could have created and no legislation could settle. Therefore neither the Home Government nor the Government of India encouraged the Bombay Government in their desire for special laws to deal with picketing and intimidation.<sup>4</sup> Elsewhere than in Bombay there was too, and indeed had been for some years, a decline in communal rioting, and while it would have been foolish to believe that communal feeling was dying, the lack of outward

<sup>1</sup> See letter of the Archbishop of York to Secretary of State, 12 Dec. 1929.

<sup>2</sup> Spratt, *op. cit.*, pp. 48 ff., and L. Hutchinson, *Conspiracy at Meerut* (London, 1935).

<sup>3</sup> Commander Royal Flying Corps 1912-15; Chief of Air Staff 1918; M.P. 1922-8 and 1940-5; Governor of Bombay 1928-33; d. 1954.

<sup>4</sup> See Notes of Haig, Home Secretary, on his return from Bombay, 4 June and 11 June 1929; Sir Frederick Sykes, *From Many Angles* (London, 1942), p. 370.

manifestation was certainly a hopeful sign. As for terrorism, the Lahore Conspiracy Case had, at any rate for the time being, disintegrated the movement in the Punjab; in the United Provinces there seemed to be little general sympathy with the method of political assassination and little need for special powers; and in Bengal there was by September 1928 no one who had been externed or placed under restraint under the Bengal Criminal Law Amendment Act. The authorities, it is true, had received information to suggest that terrorists were being organized to play their part in the general campaign to be initiated in 1930; and many senior police officers believed that revolutionary conspiracy had never at any previous period been a more formidable menace to the State. They thought that young men were being roused to an ungovernable pitch of excitement of which the chief ingredient was racial hatred, blind, unreasoning, and murderous in its intensity, and that any new campaign of violence would not be limited to a series of sporadic outbreaks but command general support. This reading of the situation, however, was considered unduly alarmist, and the suggestion for special legislation and ordinances was not accepted. The Government felt it unnecessary to do more than renew the Bengal Act which was due to expire in March 1930.<sup>1</sup>

But if the agents of violent outrage provided little cause for serious concern, there were other factors in the situation which could not be ignored. The Moslem community had begun to drift from the Congress, the Sikhs had been at least temporarily alienated by that party, the Liberals stood fast by the objective of Dominion Status, and even a considerable section of Hindu opinion was opposed to the Nehru Report. Economic conditions were not dismal, and there was no rallying-point of universal appeal such as that provided in 1919 by the Rowlatt Act.<sup>2</sup> But if any movement launched by Congress was unlikely to be widespread, it would probably, within its circumscribed area, be more in-

<sup>1</sup> See record of a discussion at Viceregal Lodge, 8 June 1929; note of Petrie, Director Intelligence Bureau, 19 June 1929; and note of Haig, 20 June 1929.

<sup>2</sup> This Act authorized the Government to retain the summary powers vested in them during the war.

tense and violent.<sup>1</sup> In March Gandhi had initiated the cloth boycott with a bonfire in Calcutta, and it was taken up in other provinces; but the Government were satisfied that it had proved a complete failure.<sup>2</sup> Gandhi himself, however, had made it clear that the boycott might have to be followed by civil resistance.

Speaking with a full sense of responsibility, I know the tremendous consequences of civil disobedience and of a no-tax campaign in a vast country like ours—with its undisciplined masses—but a man who is mad as I am now after freedom has got to take tremendous risks. . . .<sup>3</sup>

It was the seeming preparations for such a campaign that drew the Government's attention. The youth movement had made marked progress, especially in Bengal and Bombay. It was apparently intended to rouse a revolutionary spirit among young men, particularly students and the educated unemployed. On the basis of this movement volunteer organizations were being formed; though proclaimed to be for such harmless activities as physical training, the Government suspected that their real purpose was to raise storm-troops for the coming campaign. So local governments were instructed to watch these developments carefully and check them if possible by securing the conviction of instigators for sedition and inflammatory incitements. They should also look out for the development of specific grievances or economic distress, on the basis of which alone the masses could be roused, and of issues which, by causing general dissatisfaction, might bring back some of the Moslems and Sikhs into the Congress fold.<sup>4</sup>

Thus by June 1929 the Government had surveyed the scene and taken up their position. But side by side with this tactical deployment Irwin planned his political strategy. Along with the show of strength there should be a display of sincerity. The composition of the Simon Commission had

<sup>1</sup> Note of H. W. Emerson of the Home Department, 21 June 1929, and letter of Crerar, Home Member, to Sir Arthur Hirtzel, Under-Secretary India Office, 28 June 1929.

<sup>2</sup> Home Secretary to all Local Governments D. 342/29 dated 24 June 1929.

<sup>3</sup> Speech at Calcutta, 4 Mar., as reported in *Young India*, 14 Mar. 1929.

<sup>4</sup> Home Secretary to all Local Governments D. 342/29 dated 24 June and Home Secretary to Chief Secretary Bengal D. 1994/29 dated 24 June 1929.

irritated India, and Irwin was anxious, as he himself later phrased it, 'to bring to the body politic of India the touch that carries with it healing and health'.<sup>1</sup> His exposition in January 1929 of every Viceroy's 'double duty', to see that the King's Government is carried on and to serve as intermediary between India and Great Britain,<sup>2</sup> created a firm feeling of expectancy. In May he announced that as the Simon Commission Report was not yet ready, the elections to the Legislative Assembly which were due in the autumn would be postponed; but he knew enough by now of the collective mind of the commission to appreciate the risk of leaving the flow of events with them. He himself would have to retrieve lost ground, and he thought that this could best be done by associating representative Indian opinion with consideration of the Simon Commission Report before final proposals were placed before Parliament and by restating in clear and precise terms the objective of British rule in India. The former would remedy the harm done by the Simon Commission, the latter would enable co-operation in the future. He had already, in January 1929, emphasized that the 1917 Declaration still stood as a solemn pledge to assist India to obtain full national political stature; but this was stale and too vague. An 'indefeasible assurance' of Dominion Status, a declaration of India's right to it, would do much to remove the surface misunderstandings and distrust. For whereas to the English Dominion Status connoted an achieved constitutional position, to Indians it was mainly a promise of full rights to come.<sup>3</sup> Motilal Nehru himself informed Geoffrey Dawson, then on tour in India, that what was really wanted was an assurance that Dominion Status was on the way.<sup>4</sup> The Viceroy was persuaded, however, that on the eve of the British general elections it would be wiser to secure the support of all parties for a statement of future procedure rather than of policy, and his reference to Dominion Status

<sup>1</sup> Statement of the Viceroy, 31 Oct. 1929: *The Times*, 1 Nov. 1929.

<sup>2</sup> *Indian Problems*, p. 66.

<sup>3</sup> Irwin's note on Dominion Status as understood in Great Britain and India, Nov. 1929, reproduced in A. Campbell Johnson, *Viscount Halifax* (London, 1941), pp. 231-4.

<sup>4</sup> Dawson's memorandum, 25 Mar. 1929: Evelyn Wrench, *Geoffrey Dawson and Our Times* (London, 1955), p. 272.

in the draft memorandum was removed.<sup>1</sup> But when the usual mid-term leave enabled Irwin to discuss his plan in England, the elections were over and Ramsay Macdonald had formed the Labour Government, and Irwin could again bring forward his plan in full. The new Prime Minister, while greatly interested in India, had no policy of his own;<sup>2</sup> and he gladly agreed with the Viceroy if only because he had earlier, when still out of office, looked forward to India becoming a Dominion within a period of months.<sup>3</sup> But both the Liberals and the Conservatives were, on the whole, inclined to be critical. Simon at first resented the suggestion of a conference, but later, following Reading's lead, focused his criticism on the reference to Dominion Status. This soon became the general attitude in both parties. While they accepted the suggestion that Indian opinion be formally consulted after the report was published they disliked a categoric recognition of Dominion Status as India's goal. It was, indeed, clear from this that the Indian desire for a definite affirmation was no childish sentiment. The contention of the Viceroy and *The Times*<sup>4</sup> that Dominion Status was implicit in the 1917 Declaration and the Instrument of Instructions to the Governor-General did not find unanimous acceptance in England. Even in May 1928 Birkenhead had informed Irwin that the British Government were averse to using the phrase to describe even the ultimate and remote goal of Indian political development because this meant 'the right to decide their own destinies', and this right the Government were not prepared to accord to India just then or in any way to prejudge the question whether it should ever be accorded.<sup>5</sup> So, in other words, references to 'full partnership', 'self-government within the Empire', and India's 'acquiring her

<sup>1</sup> *Ibid.*, p. 272.

<sup>2</sup> Cf. the later experience of Lord Templewood (Sir Samuel Hoare) when Secretary of State for India: 'I have several letters written in his [Macdonald's] own hand warning me against some course of action without suggesting to me any alternative.' *Nine Troubled Years* (London, 1954), p. 29.

<sup>3</sup> Macdonald had visited India twice, in 1909 and 1912, and had written two books, *The Awakening of India* (1910) and *The Government of India* (1919). For a narrative account of his views on India see B. Sacks, *Ramsay Macdonald in thought and action* (New Mexico, 1952), pp. 389 ff.

<sup>4</sup> See the collection of ten extracts from authoritative statements, 5 Nov. 1929.

<sup>5</sup> Birkenhead, *op. cit.*, p. 289.



due place among the Dominions' really meant little. Now in face of this resistance to Irwin's proposal the matter was referred in September to Baldwin, the leader of the Conservative party. Baldwin, then on holiday in France, agreed to a statement by Irwin on these lines on the understanding that the Simon Commission would be consulted and the consent of all parties obtained. On 23 October, however, he learnt that the commission had not been approached; so after consulting a few colleagues he informed the Government that in these circumstances the Conservative party could not support such a statement.<sup>1</sup>

The Viceroy, however, despite the opposition of the party to which he belonged, issued his announcement on 31 October. The night before he received a telegram from Baldwin requesting him to withhold the statement; but no delay was now possible, especially as prior information had been given to Indian leaders.<sup>2</sup> After stating that His Majesty's Government would meet representatives of British India and the Indian States for securing the greatest possible measure of agreement for the final proposals to be submitted to Parliament, Irwin declared that he had been

... authorized on behalf of His Majesty's Government to state clearly that in their judgment it is implicit in the declaration of 1917 that the natural issue of India's constitutional progress, as there contemplated, is the attainment of Dominion Status.<sup>3</sup>

The Government were now committed to consultation with Indian leaders and a precise ultimate objective. This statement, Irwin's first real initiative in India's constitutional problem, lost him friends in England. The Labour Government, of course, supported him,<sup>4</sup> and Baldwin, despite his earlier disapproval, now, with a sense of instinctive statesmanship, stood loyally by his friend; but murmurous criticism began to disturb the party. In India, on the other

<sup>1</sup> G. M. Young, *Stanley Baldwin* (London, 1952), pp. 146-7.

<sup>2</sup> Information supplied by Lord Halifax.

<sup>3</sup> *The Times*, 1 Nov. 1929.

<sup>4</sup> 'We have the right cause and, what is equally important, we have the right enemies'. Wedgwood Benn, the Secretary of State, to Beatrice Webb: *Beatrice Webb's Diaries 1924-1932* (London, 1956), p. 226.

Wedgwood Benn, first Viscount Stansgate, b. 1877; joined Labour party 1927; Secretary of State for India 1929-31; Secretary of State for Air 1945-6.

hand, there was a revival of trust. It was true that the Viceroy had given no pledge that Dominion Status would be established soon, or even that it would be discussed at the proposed conference; but few had expected it. Indeed it was generally believed that only joint discussions with the Princes, as envisaged in the statement, could form the prelude to even the first step towards Dominion Status. In the Congress, while Jawaharlal Nehru was inclined to suspect this 'ingeniously worded announcement, which could mean much or very little',<sup>1</sup> Gandhi and his senior lieutenants were not prepared to reject it out of hand. The real test was whether the British meant what the Viceroy said.

I can wait for the Dominion Status constitution, if I can get the real Dominion Status in action, if today there is a real change of heart, a real desire on the part of the British people to see India a free and self-respecting nation and on the part of the officials in India a true spirit of service.<sup>2</sup>

So the Congress, in association with the Liberals, issued a manifesto offering to co-operate in drafting a Dominion constitution if certain acts were done and certain points clarified. The Government should declare a political amnesty, adopt a policy of general conciliation, infuse a more liberal spirit into the administration till the new constitution came into force, and provide adequate representation of progressive political parties at the conference.

We understand, however, [added the signatories], that the conference is to meet not to discuss when Dominion Status is to be established, but to frame a scheme of Dominion Constitution for India. We hope that we are not mistaken in thus interpreting the import and the implications of this weighty pronouncement of the Viceroy.<sup>3</sup>

To the discerning, the last sentences would have seemed a warning of storm. But Gandhi declared that there could be no doubt about Irwin's sincerity and the manifesto was an effort to respond in the same spirit;<sup>4</sup> and many concluded that the Viceroy had enabled the more sober elements in the Congress to recover the leadership. To accept Irwin's statement even tentatively as sufficient answer to the Congress

<sup>1</sup> Nehru, op. cit., p. 195.

<sup>2</sup> *The Times*, 4 Nov. 1929.

<sup>3</sup> Quoted in Tendulkar, op. cit., vol. ii, p. 502.

<sup>4</sup> *Young India*, 7 Nov. 1929.



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challenge was galling to Jawaharlal Nehru and he offered to resign the presidentship of the next session of the Congress to be held at Lahore in the last week of the year.<sup>1</sup> Gandhi was informed<sup>2</sup> that Irwin, though reluctant to release political prisoners, would finally agree to do so, and would organize the conference in consultation with the Congress and other representative leaders. But having come so near, the two sides again slowly drifted apart. The distrust which Irwin had brushed aside once more took charge of Congress policy. Though its leaders sought an interview with the Viceroy for elucidation of his statement, they began to prepare themselves for the civil disobedience movement scheduled for 1930. Jawaharlal Nehru publicly opposed any settlement by negotiation,<sup>3</sup> Gandhi is reported to have said he would not be sorry if the conference fell through,<sup>4</sup> and Motilal Nehru remarked that 'at present all roads lead to Lahore'.<sup>5</sup> Even at this stage the situation might have been retrieved by Irwin's character and transparent sincerity had he met the Congress leaders, and particularly Gandhi, alone and face to face; but the meddlesomeness of third parties somewhat spoiled the situation. The Viceroy was induced to summon a conference of Gandhi, Jinnah, Sapru, Motilal Nehru, and Vithalbhai Patel; and the heterogeneity of this deputation was resented by Motilal Nehru.<sup>6</sup> By the middle of December the Congress had clearly made up its mind, and Jawaharlal Nehru circulated to his colleagues his Presidential address to the Congress, calling for Independence and the conquest of power.<sup>7</sup> When the conference finally assembled at the Viceroy's house on 23 December, uppermost in all minds was the providential escape of the Viceroy that morning. A bomb

<sup>1</sup> Nehru, *op. cit.*, p. 197.

<sup>2</sup> By the financier G. D. Birla, after an interview with Irwin, on 11 Nov. 1929; Birla, *op. cit.*, pp. 42-43.

<sup>3</sup> Address to the All-India Trade Union Congress, 30 Nov. 1929: *The Indian Quarterly Register*, 1929, vol. ii, p. 428.

<sup>4</sup> See letter of Srinivasa Sastri, 2 Dec. 1929: T. N. Jagadisan (ed.), *Letters of V. S. Srinivasa Sastri* (Madras, no date), p. 296.

Sastri (1869-1946), President of the Servants of India Society 1915-27; Agent of the Government of India to South Africa 1927-9.

<sup>5</sup> Letter to Vithalbhai Patel, 9 Dec. 1929: Patel, *op. cit.*, pp. 1070-1.

<sup>6</sup> *Ibid.*

<sup>7</sup> See Motilal Nehru's statement to F. W. Wilson, *The Indian Chaos* (London, 1932), p. 200.

explosion outside New Delhi station had wrecked parts of the train in which Irwin was returning from a tour of the South. But when after a discussion of this outrage Irwin suggested consideration of the problem of political prisoners Gandhi said the latter could afford to wait a while in jail; what Congress wanted was an assurance that the sole function of the conference proposed by the Viceroy's statement would be the framing of a constitution equivalent to Dominion Status and to be brought into operation immediately. Gandhi and Nehru argued that any offer made in response to the resolution of the Calcutta Congress would have to meet this requirement. Irwin, of course, could accept no such specific interpretation of his statement and commit both the British Government and the conference; and the other participants, including Patel, formally a Congressman, felt that the Congress spokesmen were determined to avoid agreement.<sup>1</sup>

So all Irwin's efforts, in defiance of his own party, had failed to secure the goodwill of the Congress, which assembled at Lahore to declare revolt. The Nehru Report was declared to have lapsed, and the flag of Independence was unfurled.

<sup>1</sup> Pattabhi Sitaramayya, *The History of the Indian National Congress* (Bombay, 1946), vol. i, p. 354; Gandhi's interview *New York World*, 9 Jan. 1930; Patel's correspondence with Irwin published in Apr. 1930, *The Indian Annual Register*, 1930, vol. i, pp. 101 ff.

## V

### CIVIL DISOBEDIENCE

AT Lahore the Congress decided that nothing was to be gained by attending the proposed Round Table Conference, proclaimed Independence and not Dominion Status to be the immediate objective, and authorized a campaign of civil disobedience in whatever form its leaders might determine. All these resolutions met with considerable opposition, but were passed with Gandhi's support. 'I have but followed the Inner Voices.'<sup>1</sup> In addition, however, he had some mundane reasons. The offer made at Calcutta in December 1928 had lapsed, and there was no other honourable way out. For years he had been drilling his troops and organizing the party and the nation, and though he was not still sure that civil disobedience if inaugurated would evoke sufficient response among the masses to sweep the nation forward to victory, he felt he had no option but to take the risk.

Situations can arise, [a distinguished soldier has written],<sup>2</sup> where even a gamble may be justified—as, for instance, when in the normal course of events defeat is merely a matter of time, when the gaining of time is therefore pointless and the only chance lies in an operation of great risk.

Such a situation seemed to have arisen in India in 1930. The people still appeared to Gandhi to be on the whole believers in non-violence, but clearly also the spirit of violence was abroad, and if given time and opportunity might precipitate disaster. Even the Congress, pledged to abhor violence, could only with difficulty be persuaded to condemn the recent attempt to murder the Viceroy. The nation was anxious to feel its strength, and its desire required to be channelled. Gandhi, indeed, feared popular violence more than the possible organized repression of Government, for the latter could be combated more successfully because of

<sup>1</sup> Letter to Srinivasa Sastri, 12 Jan. 1930: Jagadisan, *op. cit.*, p. 83.

<sup>2</sup> Field-Marshal Rommel, May 1942. See B. H. Liddell Hart, *The Rommel Papers* (London, 1953), p. 201.

greater support.<sup>1</sup> His reaction to the terrorists responsible for the sporadic bomb outrages that were occurring with increasing frequency was similar to that of the Duke of Wellington to his troops: 'They may not frighten the enemy, but by God they frighten me'. Civil disobedience was the only means of challenging both British rule, which appeared to him 'a perfect personification of violence',<sup>2</sup> and the growing hatred towards the agents of this rule, which took the form of casual assassinations.

The test of Gandhi's interpretation of the mood of the nation came on 26 January, when all over the country the people were invited to take the 'Independence pledge', drafted by the Working Committee in the form of a long and scathing indictment of British rule. While the Bombay Government wished to check any demonstrations of exuberance, other local governments did not agree, and Irwin firmly ruled that the authorities should not interfere but merely take the usual action against agitators if they transgressed the law. Such an attitude would avoid any allegation of harshness without damaging the prestige of Government.<sup>3</sup> In the event this policy seemed justified; only in the Punjab, the United Provinces, Bombay, and Delhi did it become an occasion for national self-assertion;<sup>4</sup> elsewhere the relative lack of enthusiasm seemed to sustain the description of the Congress session as a display of 'stage lightning and teapot thunder'.<sup>5</sup> But Gandhi and the Congress were satisfied with the response. It assured them that the long years of preparation had not been barren; that the travels from village to village, the copious writings in *Young India* and its Gujarati counterpart, the strengthening of the party structure, and the development of hand-spinning had won for the leader of the Congress the loyalty of millions. A considerable number of his countrymen, drawn from every level of society, were ready to follow along whichever path he might lead them.

<sup>1</sup> *Young India*, 2 Jan., 23 Jan., and 24 Apr. 1930.

<sup>2</sup> *Ibid.*, 6 Feb. 1930.

<sup>3</sup> Sykes, *op. cit.*, pp. 381-2; Home Department telegram to all Local Governments 828 dated 11 Jan. 1930.

<sup>4</sup> Viceroy (Home Department) telegram to Secretary of State No. S. 364 dated 5 Feb. 1930.

<sup>5</sup> Speech of Hailey at Cawnpore, 28 Jan. 1930.

But on the form which civil disobedience should take Gandhi had not yet made up his mind. 'If preparation' he had written on an earlier occasion,<sup>1</sup> 'is necessary beforehand, it is not a righteous struggle. He who creates it and conducts it is God.' Gandhi now brooded in silence, seeking intuitively a practical and simple formula. He had crystallized Independence into eleven points in order to make the concept more easily comprehensible to the ordinary people; and while the points did not exhaust the meaning of freedom, they were shrewdly chosen to win the sympathy of every social group. The demand for prohibition appealed to the old-fashioned and the suggestions for an amnesty for political prisoners and abolition of the secret police to the politicians; reduction of land revenue and abolition of the salt tax were items calculated to win over the peasants and the fixation of the exchange ratio of the rupee at 1s. 4d., the imposition of a protective tariff on foreign cloth, and the reservation of coastal traffic to Indian shipping, assured him the support of the commercial classes; and the middle classes appreciated the proposed reduction of military expenditure and of the highest salaries. But this list could not form a battle-cry; what Gandhi was looking for was not a complicated programme but a direct issue. And suddenly, towards the end of February,<sup>2</sup> there flashed in his mind an answer which showed his political instincts at their highest.

In 1836 the East India Company decided to tax salt manufactured in India to enable English salt to sell in India; but the continuance of the tax in later times was solely to secure revenue. In 1930 half the price paid by the consumer—Rs.2-8-0 per maund—represented the tax; but Government could plead that the quantity consumed by each individual was very little, and the tax per head amounted to little more than three annas a year. That the incidence was not appreciably felt is borne out by the almost total absence of illicit manufacture and the steady rise in consumption over

<sup>1</sup> See Preface to *Satyagraha in South Africa* written on 2 Apr. 1924.

<sup>2</sup> Salt as the test question is first mentioned in *Young India* on 27 Feb.; so the statement of the Governor of Bombay that he received a warning early in Feb. (Sykes, *op. cit.*, p. 382) suggests a prescience which is incredible. In fact, the first information secured by the Intelligence Bureau of the Home Department at Delhi was on 24 Feb.



a period of fifty years. Yet, however negligible in its practical effects, the salt tax was difficult to defend in theory. Salt is consumed by both men and cattle, and a tax on it has been regarded, at least since 1789, as a true index of inhuman oppression. It could have, as Gandhi said, no place even in a self-governing country. In India a greater quantity is utilized than elsewhere both to season a largely vegetarian diet and to preserve foodstuffs in a tropical climate. Gandhi realized that it was in the form of this tax that British rule made an impact on the largest number of Indians; if denounced as exploitation it would be quickly understood, and there was no province where the prohibition against the private manufacture of salt could not be violated with ease. By calling on the people to pick up salt from the earth or distil it from the sea he seemed to be rallying the forces of nature on his side. Once Gandhi chose the salt tax as the ground of battle none doubted that it was the obvious choice.

So the country was in a temper to resist, and its leader formulated the manner of resistance. It only remained to throw down the challenge. On 2 March Gandhi wrote to Irwin. British rule was a curse, but there seemed no prospect of full Dominion Status being granted in the immediate future; it was therefore no longer a matter of carrying conviction by argument, but one of matching forces. India must convert Great Britain by civil disobedience. Unless the Viceroy offered to accept at least the eleven heads of proposals, Gandhi would set out on 11 March to disobey the salt laws.<sup>1</sup>

To emphasize his claim that his differences were with the Imperial system and not with individual Englishmen, Gandhi requested a Quaker disciple to deliver the letter to Irwin. Even at this late stage he seems to have hoped for some understanding; and the messenger was instructed to discuss, if invited to do so, the terms and conditions of Gandhi's offer.<sup>2</sup> But Irwin had made it clear even in January that he intended to discharge fully his duty of maintaining law and order;<sup>3</sup> and he now restricted himself

<sup>1</sup> The text of the letter was published in *Young India*, 6 Mar. 1930.

<sup>2</sup> See R. Reynolds, *To Live in Mankind* (London, 1951), p. 53.

<sup>3</sup> Address to the Legislative Assembly, 25 Jan., *Indian Problems*, p. 83.



to an expression of regret at Gandhi's decision to violate the law and endanger the public peace.<sup>1</sup> There was an air of indifference about the Viceroy's response, but this was because he regarded Gandhi's letter as an ultimatum, however politely worded; and even if he were willing to discuss under menace, there seemed no common ground of discussion. 'With Gandhi there is no chance of conciliation on any possible terms.'<sup>2</sup>

On 12 March Gandhi, accompanied by seventy-nine chosen followers, left his *ashram* at Ahmedabad for the sea. He expected to be arrested at any moment;<sup>3</sup> but it was now Irwin who non-co-operated. Gandhi's march through Gujerat, which was his home and where his influence was greatest, aroused considerable interest and excitement. But the authorities expected no more serious consequence, and in the belief that they were dealing, not with a general revolt but only with a formidable organization, waited, after the arrest on 7 March of Vallabhbhai Patel, the virtual Chief of Staff of the Congress and presumably the organizer of civil disobedience—an action taken by the district authorities on their own responsibility<sup>4</sup>—for the movement to peter out. The Bombay Government intended to arrest Gandhi as soon as he violated the salt law, and Irwin agreed that normally such defiance could not be disregarded. But it was possible, though improbable, that his march would prove a 'fiasco' from the viewpoint of its effect on the public, and in that case, rather than lend lustre to Gandhi by making a martyr of him, he should be ignored and allowed to destroy himself by ridicule.<sup>5</sup> Soon the Bombay Government displayed greater concern than before, and wished to arrest Gandhi even before he reached the sea,<sup>6</sup> but the Government of India refused to

<sup>1</sup> Letter of G. Cunningham, Private Secretary to Viceroy, to Gandhi: *The Times*, 8 Mar. 1930.

<sup>2</sup> Irwin to Dawson, 10 Mar. 1930: *The Times History*, p. 875.

<sup>3</sup> His first letter written after leaving Ahmedabad, on 13 Mar., begins, 'Whilst there is time . . .': *Bapu's letters to Mira*, p. 102.

<sup>4</sup> Sykes, *op. cit.*, p. 384.

<sup>5</sup> Home Department telegram to Bombay Government 7558 dated 9 Mar. 1930; Irwin to Dawson, 7 Apr. 1930, *The Times History*, p. 875. There is no foundation for the belief, prevalent at the time, that Irwin was acting on the advice of Vithalbhai Patel.

<sup>6</sup> Bombay Special's telegram to Home Department New Delhi No. S.D. 441 dated 10 Mar. 1930.

accept that the situation had in any way altered.<sup>1</sup> On 11 March the authorities realized that Gandhi was not taking the shortest route to the coast but going by a detour to Dandi beach—a march of at least 20 days.<sup>2</sup> Even so Irwin decided to abide by his earlier decision, and was fortified by reports that outside Gujerat the march was evoking less enthusiasm than anticipated.<sup>3</sup> By 24 March the Government of India were inclined to believe that what had earlier been regarded as improbable had come to pass, and the general reactions in India were such that even when Gandhi violated the law there would be no *prima facie* necessity to arrest him at once. Instead, the authorities should seek merely to neutralize the practical effects of his actions by either confiscating the salt and the implements or preventing the removal of the salt without payment of duty. While it was true that the authority of Government was being weakened in Gujerat (317 *patels* or village headmen, influenced by the fevered atmosphere, resigned their posts), this could not be allowed to modify policy so long as on a broad view it appeared to Government's advantage not to arrest Gandhi.<sup>4</sup>

The attitude of the Government of India seemed so remote from reality that Sykes went to New Delhi to discuss matters in person. He argued that while it had perhaps been wise to refrain from arrest so far, the general effect of Gandhi's march could no longer be dismissed with ridicule and salt operations should not be allowed to continue. If the Government were not willing to sanction arrest they could at least deny Gandhi's followers the use of State facilities such as the post and telegraph services, and convert the *satyagrahis* into compulsory non-co-operators. But Irwin replied that the Government of India believed that civil disobedience had been initiated without any confidence in its ultimate success and a majority of the people did not actively sympathize with

<sup>1</sup> Home Department telegram to Bombay Special No. 7838 dated 11 Mar. 1930.

<sup>2</sup> District Magistrate Ahmedabad to Home Department, New Delhi, 11 Mar. 1930.

<sup>3</sup> See letter of the Governor of the Punjab to the Viceroy 17 Mar. 1930, and Bombay Special's telegram to Home Department No. S.D. 540 dated 19 Mar. 1930.

<sup>4</sup> Telegram from Secretary to Government of India Home Department to Bombay Special, 24 Mar. 1930.

it. So while Gandhi's lieutenants would be prosecuted promptly if they defied the law, the Government intended to leave Gandhi himself at large to see whether India would reject him or not.<sup>1</sup> The Bombay Government now moved to the other extreme and suggested that no action be taken against anyone and Congressmen be allowed to manufacture, remove and dispose of contraband salt as they pleased.<sup>2</sup> The Government of India, however, made it clear that they could not ignore the illegal manufacture of salt, which was the first phase of a general civil disobedience campaign; Gandhi would enjoy temporary and exceptional immunity, but the practical effects of law-breaking should be neutralized, and such other leaders as it might suit Government to take notice of should be prosecuted.<sup>3</sup>

Of course, judged in the cold light of reason, the offence of collecting salt was so trivial and the value of the salt so small that Irwin's policy seemed sound; and till Gandhi reached the sea at Dandi, he was preaching sedition but had not participated in any criminal act. But in a period of revolution reason does not count. The belief that Gandhi could be ignored suggested a lack of imaginative understanding. For years he had engaged in building the emotional integrity of India, and now the sight of this old man marching along the dusty roads, without arms and without allies, to do battle with the British Empire stirred the hearts of men not only in India but throughout the world.<sup>4</sup> To argue that the Liberals and others who believed in constitutional methods had been fortified by the Viceroy's declaration on Dominion Status and would utilize this seeming error of judgement on Gandhi's part to replace the Congress in the

<sup>1</sup> Memorandum on Viceroy's discussions with the Governor of Bombay, 26 and 27 Mar. 1930; also Sykes, *op. cit.*, p. 384.

<sup>2</sup> Bombay Special's telegram to Home Department S.D. 801 dated 3 Apr. 1930.

<sup>3</sup> Home Department's telegram to Bombay Special No. 1023S dated 5 Apr. 1930.

<sup>4</sup> 'Many pictures rise in my mind of this man, whose eyes were often full of laughter and yet were pools of infinite sadness. But the picture that is dominant and most significant is as I saw him marching, staff in hand, to Dandi on the Salt March in 1930. He was the pilgrim on his quest of truth, quiet, peaceful, determined and fearless, who would continue that quiet pilgrimage regardless of consequences.' Jawaharlal Nehru, 30 June 1951. Foreword to Tendulkar, *op. cit.*, vol. i (Bombay, 1951).

confidence of the people<sup>1</sup> was to build on sand. These men were able and endowed with legal and administrative talent, but they lacked support in the country, and as political entities were splendidly null.

Irwin's policy of impervious equanimity had, however, this advantage, that it gave authority the cloak of courtesy and restraint. Indians might believe that the Government were afraid to arrest Gandhi because of the reactions on Indian and world opinion; but whatever the motive, none could deny that in civilized political warfare Gandhi was well matched by the Viceroy. On 6 April, after covering 241 miles in 24 days, Gandhi reached Dandi and collected salt from the sea. There was not a single policeman in sight when the banner of revolt was unfurled.

The same day the salt laws were broken throughout India at least by 5 million people at over 5,000 meetings. The provincial authorities were directed to confine themselves to confiscation of the contraband salt, and though on 14 April Jawaharlal Nehru was arrested, the Government still refused to take cognisance of Gandhi's activities. This to some extent threw the Congress programme out of gear, for it had been decided that so long as Gandhi was in command the movement should be restricted to manufacturing salt by those who accepted non-violence as a creed and not as a policy; only after his arrest should the struggle be widened to enfold other forms of civil disobedience, and non-violence 'of the activist type' put into operation.<sup>2</sup> Gandhi, however, encouraged women to devote themselves to the picketing of shops selling liquor and foreign cloth, for these, like the salt tax, were inherently evil, and their boycott need not await events.<sup>3</sup>

Neither side had by now any illusions as to the nature of this multiple movement to defy authority. The Government regarded it as a rebellion; and *Young India* had a column entitled 'Weekly War News'. Though at first the disturbances were centred in the towns, there was no province that

<sup>1</sup> See letter of Haig, Home Secretary, Government of India, to all Local Governments and Administrations No. 113 dated 30 Jan. 1930.

<sup>2</sup> See Gandhi's article, *Young India*, 27 Feb. 1930, and Jawaharlal Nehru's instructions to Congressmen: *ibid.*, 27 Mar. 1930.

<sup>3</sup> *Ibid.*, 10 Apr. 1930.

was entirely immune, and the officials were surprised at this evidence of the wide permeation of Gandhi's teachings. Even Gandhi, it must be added, had not expected such a response.<sup>1</sup> At Lahore all the Moslem leaders except Maulana Azad had warned him that on this occasion the Moslems would keep aloof;<sup>2</sup> but this prophecy was belied, and in later months it was a predominantly Moslem province that gave the authorities the greatest trouble. Women of all communities broke their seclusion and entered public life by seeking arrest rather than election, and civil disobedience bore also the aspect of a suffragette movement. It is true that this general upheaval was due to some extent to certain factors on whose support Gandhi had not reckoned. The chronic unemployment among the educated classes promoted the recruitment of volunteers, living conditions among the workers were so squalid as to breed class hatred, and the steep fall in agricultural prices brought about by causes worldwide in their operation stirred even in the placid peasantry a note of discontent. Yet that it was Gandhi's leadership which played the chief part in evoking this agitation was made clear by the fact that the movement was, on the whole, throughout under his control. The vast majority of his followers were familiar with Western traditions of dissent, but in deference to his attitude never sought to adapt them to India. Indian labour was less agitated in 1930 than in the years before, and though Gandhi's eleven points did not include any item calculated to promote their special interests, they made no attempt to divert the general tide of feeling into their own channels. Nor did civil disobedience, when it spread to the countryside, develop any resemblance to 'La Grande Peur'. Indeed the usual economic causes and concomitants of revolution were so much in the background that the wealthy mercantile and commercial classes were among the staunch supporters of Congress. While they stood greatly to gain by the boycott of foreign goods, they found nothing to fear in a purely political struggle, and it was no coincidence that Bombay, the centre of the textile industry, was also the chief stronghold of the

<sup>1</sup> *Young India*, 10 Apr. 1930, and letter to Motilal Nehru 14 Apr. 1930, reproduced in Tendulkar, op. cit., vol. iii (Bombay, 1952).

<sup>2</sup> See M. Desai, *Maulana Abul Kalam Azad* (Indian edition, 1945), p. 60.



movement. There was, in fact, no social class or group that did not participate, at the call of Gandhi, in this display of nationalist emotion, whose intensity was expected to impress, if not to convert, the British. It was a political revolution, rare only in that it was based, not on hatred of the foreigner but on faith in human nature, not on fear but on hope.

Irwin, however, still preferred to deal with this contrived chaos under the ordinary law, and Gandhi acknowledged that the authorities were acting with moderation.<sup>1</sup> The suggestion of Sykes that those who refused to acknowledge the existence of the British Government in India should be regarded as outlaws and stripped of all civil rights was rejected.<sup>2</sup> The Viceroy arrested Gandhi's chief lieutenants in the various provinces and made use of the special weapon of ordinance whenever all local governments desired to employ it to combat any special aspect of civil disobedience, but was otherwise content to rely on the usual methods of maintaining law and order. This threw a heavy burden on the police. They did not number more than 200,000 in a country that was almost a continent in size and where there was now a liability to disturbance in almost every village. The Home Department recommended an increase of the police forces to all local governments,<sup>3</sup> but there could be no solution along these lines to the real problem which was that they had to function among a populace which was essentially hostile and regarded them as tools of repression. Even the officials who were not actively engaged in combating civil disobedience adopted an attitude of chill passivity. Indeed, it was found that some of them were taking part in or attending meetings organized by Congress, and a warning was issued that active support or advocacy of civil disobedience would entail disciplinary action or, in the case of retired officers, loss of pension.<sup>4</sup> But the Government of India were not prepared to go as far as the Madras Government who declared it to be the duty of every official to show by every means at his disposal his

<sup>1</sup> *Young India*, 10 Apr. 1930.

<sup>2</sup> Sykes, *op cit.*, p. 385.

<sup>3</sup> Telegram P. No. 1551-S dated 15 May 1930.

<sup>4</sup> Letter to all Local Governments D. 2440 Political 14 May 1930, and Office Memorandum to all Government of India Departments D. 2440 dated 14 May 1930.



strong and active disapproval of civil disobedience and to promote loyalty. The Home Department merely waived the general injunction against participation in politics and allowed officials to remove misapprehensions, correct mis-statements, and refute Congress propaganda.<sup>1</sup> But this permission was hardly utilized, and even in Madras the mandate was of little effect. The police force itself was not devoid of sympathy for the Congress.<sup>2</sup> But on the whole it remained loyal to its employers, who sought to encourage it by special allowances and amenities. The Bombay City Police was discontented because of poor housing conditions and meagre pay, and Congressmen tried to win it over; but the number of resignations in 1930 was the lowest in five years, being 234 as against 333 in 1926.<sup>3</sup>

These small police forces operating in a sullen atmosphere had to face situations which had no parallel in the experience of other countries. Civil disobedience was always treading on the brink of violence, but Gandhi, whose realism was now more thick-skinned than in 1921, stated that on this occasion there would be no retracing; he knew that he would not be the master of immediate events, but contended that suspension of the movement would fan rather than extinguish the flames of violent crime.<sup>4</sup> In fact during the year there were violent disturbances and acts of terrorism in many parts of the country, but these the forces of law and order in India, as elsewhere, were trained to counter. What perplexed them was the mobilization of inertia, the large crowds silently awaiting punishment, the well-organized processions refusing to yield in face of attack. The civil authorities could requisition military assistance as a precautionary measure or for dispersing unlawful assemblies; but resort to fire could never be the normal procedure, and as immediate contact with an unruly mob was likely to lead to heavy casualties,

<sup>1</sup> Order of the Government of Madras No. 696 dated 4 June 1930; Government of India letter to all Local Governments (except Madras) D. 4524 Political dated 13 Aug. 1930.

<sup>2</sup> One incident in Bihar is worth recording. When some policemen were using their *lathis*, another group of constables protected the Congress volunteers by attacking their own comrades: Rajendra Prasad, *At the Feet of Mahatma Gandhi* (Bombay, 1955), p. 195.

<sup>3</sup> *Report on Police Administration in Bombay Presidency in 1930*.

<sup>4</sup> *Young India*, 20 Feb. and 10 Apr. 1930.

troops were really of little use in dealing with non-violent crowds.<sup>1</sup> The obvious retort in such contingencies was the use of tear-gas. This was suggested by both Sir William Birdwood<sup>2</sup> and his successor as Commander-in-Chief, Sir Philip Chetwode.<sup>3</sup> A proposal to use tear-gas as an experimental measure against dacoits and armed criminals had been considered in 1929 but abandoned at the instance of the British Government; both the Conservative and the Labour Ministries had been opposed to it, and the Government of India were not now prepared to revive the suggestion. Tear-gas causes the victim to lurch and lose his sense of direction; a crowd, therefore, might stampede and cause considerable loss of life. Such incidents when public opinion was already inflamed would do great harm to the reputation of Government. This meant that the police could disperse crowds only by the use of the *lathi*.

It is not surprising, then, that the police forces, armed clumsily for such a situation, were often baffled. They had no precise instructions and on many occasions had to exercise their own discretion in the absence of a clear lead from the Government of India. What, for example, were they to do with the women, who not merely picketed shops but led processions and manufactured salt? The Commandant of the Women's Auxiliary Service in England offered to send out a few policewomen, but the authorities in both India and England were convinced that any such experiment was foredoomed to failure and would only add to their difficulties. So the Indian policeman had to deal with his defiant countrywomen at the cost of his sense of chivalry. If the police authorities were sometimes responsible for extremer action than was warranted by the immediate situation, one important reason was irritation born of inadequacy.

This was, however, not the only reason. Though in 1930

<sup>1</sup> See Letter of Secretary to Government of India to all Local Governments, 11 Jan. 1928.

<sup>2</sup> B. 1865; entered army 1883; secretary to army department in India 1912-14; commanded Australian troops in the Mediterranean and France 1915-20; Commander-in-Chief India 1925-30; Master of Peterhouse, Cambridge, 1931-8; created Baron 1938; d. 1951.

<sup>3</sup> B. 1869; entered army 1889; Chief of General Staff in India 1928-30; Commander-in-Chief 1930-5; created Baron 1945; d. 1950.

there were no severe *lathi* charges comparable to those in Lucknow and elsewhere at the time of the visit of the Simon Commission, still on many occasions the police were ordered as a matter of policy to be harsh. The Congress, of course, circulated exaggerated reports of official brutality<sup>1</sup>, but all their complaints of police 'excesses' were not unfounded. Often when the arrest of a few prominent agitators would have sufficed to restore order, *lathi* charges were preferred as entailing neither the publicity of trials nor the comparative comfort of imprisonment.<sup>2</sup> Indeed on some occasions, as when the police entered the colleges in Calcutta and Dacca and beat the students in their class-rooms, there was not even the pretext of a violation of the public peace.

It was, in fact, war; and in war, as Lord Fisher remarked, moderation is madness. The Government were keen on restricting the movement mainly to the manufacture of salt for this enabled them to choose their prisoners and take advantage of short and summary procedure. They need not evade conflict but by acting with caution could prevent a general inflammation of popular feeling and thwart Congress efforts to direct civil disobedience into more serious avenues of agitation.<sup>3</sup> But by the middle of April the developments in two of the farthest corners of India expelled all elements of complacency from official thinking. In Bengal the virus of violence, dormant for a time, again began to flourish in an atmosphere of defiance. Though the report in *The Pioneer* that students in that province had secured five thousand revolvers of Japanese manufacture proved on inquiry to be false, it was clear that terrorist conspiracy was widespread. As early as November 1929 the Bengal branch of the Hindustan Republican Association declared its intention

<sup>1</sup> 'I have stood within a few feet of a charged crowd. I have seen men who have not been within yards of a *lathi* fall on the ground and cry out that they had been hurt. I have seen them plastered indiscriminately with iodine, rushed on to a stretcher and driven away accompanied by roars of sympathetic cheers. I have actually seen a harmless spectator of a *lathi* charge seized by the overzealous volunteer ambulance workers and held down on a stretcher kicking and struggling and protesting his innocence of hurt, while an eminent Parsi doctor bound up his head and arm.' Wilson, *op. cit.*, p. 160.

<sup>2</sup> See the Report of the Conference of Inspectors-General of Police held at New Delhi, 19-24 Jan. 1931.

<sup>3</sup> See Hailey's letter to Haig 17 Apr. 1930, and Haig's reply, 21 Apr. 1930.

to capture a district armoury and treasury and its plans to organize Chittagong and Barisal districts for a rebellion.<sup>1</sup> But the Bengal Government paid no attention and were taken completely by surprise when on the night of 18 April a band of nearly a hundred trained men carried out a carefully planned raid on the armouries of the police and the railway volunteers at Chittagong. The local authorities, who had expected no more than dacoity and planned a general search to be carried out on 20 April,<sup>2</sup> offered little resistance. The armouries, in defending which eight men lost their lives, were destroyed and the raiders escaped with a considerable amount of arms and ammunition.<sup>3</sup>

This spectacular and, indeed, successful effort was unqualifiedly condemned by Gandhi;<sup>4</sup> but it created a profound impression throughout India. Of greater long-term significance, however, were the developments in the North-West Frontier Province. Geography gave this province a peculiar status in the Indian polity. Dyarchy had not been introduced here, and the Chief Commissioner, besides administering the five regular districts, was authorized, in his capacity as Agent to the Governor-General, to exercise control over the tribal territory which lay beyond. The maintenance of law and order in this region overlapped foreign policy and defence organization; and this seemed to many officials sufficient justification for the exclusion of the popular element from the administration. The vast majority of the population on both sides of the border were Moslem Pathans, a martial race with little political experience. But modern ideas could not for ever be kept out, and by 1928 there was a growing demand for some form of representative government. Both the Government of India and the Home Government were ready to accept this principle,<sup>5</sup> but the local

<sup>1</sup> Report of the Deputy Inspector-General of Police to Bengal Government No. 13750 dated 28 Nov. 1929.

<sup>2</sup> Secretary of State in the House of Commons, 21 Mar. 1932: *Hansard* 263, H.C. Deb. 5th ser., col. 675.

<sup>3</sup> *Report of the Administration of Bengal 1929-30* (Calcutta, 1931), p. xx.

<sup>4</sup> *Young India*, 24 Apr. 1930.

<sup>5</sup> See telegram from Viceroy (Home Department) to Secretary of State R. No. 2023S dated 7 Oct. 1928, and telegram from Secretary of State to Viceroy (Home Department) R. No. 3167 dated 6 Nov. 1928.

authorities were inert,<sup>1</sup> and nothing was done till the Simon Commission had reported. Meantime there arose a popular movement for social and political reform headed by Abdul Gaffar Khan, one of the most striking and significant figures of this period. An influential Pathan with associations among the trans-frontier tribes, he founded in 1929 the Afghan Youth League and the Central Afghan *jirga* or assembly, and organized a body of volunteers known as *Khudai Khitmagars* or Servants of God. Clad in distinctive red shirts these young men toured the villages and sought to give the people a glimpse of the horizons that lay beyond family feuds and primitive livelihoods. But despite the colour of their apparel and the hammer-and-sickle badges on their shoulders these men were not disciples of Communism; nor were they members of the Congress. Some leaders of this movement had attended the Lahore session, and Gaffar Khan was Gandhi's most celebrated convert to the doctrine of non-violence. It was deeply impressive to find this proud scion of the Frontier traditions preaching with effect the gospel of love to men born to the vocation of war.<sup>2</sup> Yet Gaffar Khan and his Red Shirts did not start civil disobedience in April 1930 and when Irwin visited the province early that month he found it calm and undisturbed by events elsewhere in India.

The civil authorities of the province, however, initiated turmoil by arresting Gaffar Khan and certain other Congressmen in Peshawar city on 23 April. There followed disturbances which took even the police officials at Peshawar by surprise.<sup>3</sup> The Assistant Commissioner sought the assistance of troops and armoured cars. The latter were unsuited for towns and narrow streets, and aggravated the trouble they were expected to curb.<sup>4</sup> The troops opened fire, and the official estimate of casualties was 30 killed and 33 wounded, though it was generally believed that the figures were very

<sup>1</sup> See notes of E. Howell, Foreign Secretary, and Emerson, Home Secretary, on 24 and 26 May 1930.

<sup>2</sup> For example: 'O thou my brethren, bravery does not consist in beating others, rather it consists in developing the power to bear and tolerate beating.' Gaffar Khan in *The Pukhtun*, Apr. 1930.

<sup>3</sup> Note of the Director Intelligence Bureau, Home Department, 22 Aug. 1930.

<sup>4</sup> See Report of the Peshawar Riots Enquiry Committee 1930; also letter of Home Department to Local Governments, D4829/30-Poll. dated 27 Aug. 1930.



much higher.<sup>1</sup> The populace now became actively hostile, and reinforcements were clearly required. The 2/18th Royal Garhwal Rifles were ordered to Peshawar, but two platoons refused to proceed, on the ground that their duty was to fight enemies from abroad and not to shoot 'unarmed brethren'.<sup>2</sup> This incipient mutiny was of even greater gravity than the armoury raid. It showed that civil disobedience was not confined to the civilian population; and if this spirit of shared interest with other Indians, Hindu or Moslem, took root in the army, then British rule in India would approach a violent crisis. The 2/5th Royal Gurkha Rifles were ordered to relieve the Garhwali battalion, which was transferred to Abbotabad; but conditions in Peshawar were so grim that at the request of the Chief Commissioner all troops were withdrawn on the night of 24 April. In other words, the city was abandoned; for nearly ten days the Government were unable to assert more than a partial measure of control, and this gave a stimulus to subversive activity in Kohat and other towns. Ultimately, at dawn on 4 May, British troops with the support of aircraft by a surprise offensive occupied without bloodshed all tactical points in Peshawar; and the police with military assistance raided the offices of the Congress party and assumed full control of the city.<sup>3</sup>

Chittagong and Peshawar removed any illusions the Government might still have had regarding the extent and intensity of resistance. The situation clearly demanded reconsideration of the attitude towards Gandhi, and local governments were invited to give their views as to whether civil disobedience could be expected to die down so long as he was at liberty.<sup>4</sup> In Assam and Burma his impact was not considerable, but among the other governments there was no unanimity of opinion. The Governments of Bengal, Central Provinces, the United Provinces, and Delhi believed that the

<sup>1</sup> The Enquiry Committee set up by the Congress estimated the number killed at 125.

<sup>2</sup> See evidence of the commanding officer at the court martial, reported in *The Times*, 6 June 1930.

<sup>3</sup> For details of the occurrences at Peshawar see Dispatch of Sir William Birdwood on the Disturbances on the North-West Frontier of India from 23 Apr. to 12 Sept. 1930. The Secretary of State directed that this dispatch should not be published.

<sup>4</sup> Telegram to all Local Governments No. S. 1189 dated 22 Apr. 1930.



balance of advantage still lay in avoiding his arrest. Refusal to take notice of his activities was being interpreted by the thoughtful public as magnanimity, as time passed the salt campaign would be seen more clearly to be a failure, and arrest would drag labour into the movement in Bengal. The Punjab Government too opposed a change of policy and were emphatic that Gandhi should in no case be arrested before the Moslem *Id* festival, which fell on 10 May. The North-West Frontier authorities favoured his arrest, but not till the crisis in Peshawar was past. The Governments of Madras and Bihar and Orissa believed that failure to arrest Gandhi had no justification. But obviously the most influential view would be that of the Bombay Government, for it was in that Presidency that Gandhi was active; and their opinion was unhesitating. They believed that hopes of discrediting the movement should be abandoned; in Gujerat the situation was deteriorating, daily more and more were joining Gandhi, and it was only by arresting him that civil disobedience could be checked and a rallying-point provided for public confidence.<sup>1</sup> On 29 April, therefore, Irwin's Government decided on the early arrest of Gandhi. The general political situation made his arrest inevitable and further delay was likely to damage the prestige of Government which had already suffered because of events at Chittagong and Peshawar. The military authorities believed that prompt action was likely to reduce the danger of disaffection among the armed forces, and Gandhi was planning to extend Congress activities to raids on salt depots in the Bombay Presidency.<sup>2</sup> Such a widening of the salt campaign, by substituting collective action for individual breaches of the law, directly challenged the Government's ability to maintain the public peace. It seemed wise to arrest him after May Day, in order to give the Peshawar situation time to cool and to avoid labour agitation in Calcutta, but well before 10 May, which marked both the *Id* festival and the anniversary of the Mutiny of 1857.<sup>3</sup> So, with the Home Govern-

<sup>1</sup> See replies of Local Governments, 23 to 26 Apr. 1930.

<sup>2</sup> Telegram to Secretary of State No. 1299S dated 29 Apr. 1930; Gandhi's draft letter to Viceroy, Sitaramayya, op. cit., vol. i, pp. 391-4.

<sup>3</sup> Telegram to Bombay Government No. 1260S dated 27 Apr. 1930.

ment's approval,<sup>1</sup> the Government of India directed the Bombay Government to arrest Gandhi on 4 May and in case salt works were raided, as little before that date as was consistent with safety;<sup>2</sup> and other local governments were forewarned on 29 April and advised, in view of possible public disturbances, to maintain troops in readiness.<sup>3</sup> To avoid *hartals* (strikes and closing of shops as a mark of protest) on 5 May (which was a Sunday) the Bombay Government were instructed to arrest Gandhi at a late hour on 4 May.<sup>4</sup> In fact he was arrested in the early hours of 5 May under Regulation XXV of 1827, which authorized Government to place persons engaged in unlawful activities under surveillance, and was secretly hurried to Yervada jail near Poona.<sup>5</sup>

Thus Gandhi was removed quietly from the public scene, without even the semblance of a trial, at a time when peasants throughout northern India were engrossed in reaping a bountiful spring harvest. Even so, there were *hartals* and demonstrations in most of the cities and towns; but only in Calcutta and Delhi was there serious disorder. The Working Committee of the Congress, however, which co-opted members as and when vacancies arose through arrests, now decided to stoke up the struggle. Participation was no longer restricted to those who believed in non-violence as an article of faith; all who accepted it even as a matter of policy, be they government officials, students, or lawyers, were invited to join in raids on salt depots, breaches of forest laws, and refusal in chosen areas to pay taxes and revenues. Boycott of foreign cloth and liquor shops should be intensified, and transactions with all British firms, including shipping, banking, and insurance agencies, should be avoided. In other words, the Congress, affronted by the imprisonment of their leader, were determined to bring the machinery of administration to a standstill; and Government, on their part, were prepared to utilize all their resources to prevent such a development.

<sup>1</sup> Secretary of State's telegram to Viceroy No. 1418 dated 30 Apr. 1930.

<sup>2</sup> Telegram to Bombay Government No. 1319S dated 1 May 1930.

<sup>3</sup> Telegram to all Local Governments and Administrations No. 1297S dated 29 Apr. 1930.

<sup>4</sup> Telegram to Bombay Government No. 1301S dated 30 Apr. 1930.

<sup>5</sup> For an eye-witness account see N. Farson, *The Way of a Transgressor* (London, 1936), pp. 611 ff.

The summer of 1930 saw a loss of tolerance on both sides and a tendency to act more brutally than had at first been envisaged. The Congress never withdrew their condemnation of violence, or encouraged hatred of individual Englishmen. Gandhi had warned his followers at Lahore that 'the day we pledged ourselves to non-violence we considered ourselves responsible for the life of every Englishman living in India. Everyone of them is in our charge and we are trustees of their lives'.<sup>1</sup> Despite stray acts of murder, this principle was never forgotten. Englishmen in Calcutta might in a semi-panic enrol themselves as special constables, but their fears were unfounded. The isolated European communities scattered over the country were never really in danger. Even the atmosphere of open combat could not evoke a racial animus in India. Throughout the twelve months of civil disobedience there was, for instance, not a single case of rape. Yet to stiffen popular resistance the Congress allowed certain measures of which Gandhi would not have approved. Thus he had always contended that under the rules of non-cooperation the enemy was not entitled to social amenities and privileges but could not be deprived of essential social services; 'a summary use of social boycott in order to bend a minority to the will of the majority is a species of unpardonable violence'.<sup>2</sup> However, social boycott of the Indian supporters of British rule was now encouraged. In Gujerat a merchant who signed a contract with Government found himself placed beyond the pale of society by his neighbours; in his distress he appealed to the local Congress committee, which fined him Rs. 500 and secured an apology and surety for good behaviour in the future.<sup>3</sup> An ordinance was passed to prevent such social boycott, but was difficult to enforce; the only way to break it, which was nowhere attempted, was to commandeer food and supplies. The officials, too, often passed beyond the normal limits of executive action. The District Magistrate of Guntur in Madras Presidency forbade the wearing of *khaddar* caps, an order which the Madras High Court set aside. But it was in Bombay, where the agitation was the most widespread, that the authorities displayed the

<sup>1</sup> *Young India*, 30 Jan. 1930.

<sup>2</sup> *Ibid.*, 16 Feb. 1921.

<sup>3</sup> See the report of the Bombay Correspondent in *The Times*, 17 June 1930.

greatest rigour. In Sholapur in May a turbulent crowd drew the police force out of the town by a feint and set fire to the law courts. Martial law was proclaimed; and under its regulations anyone committing an act likely to be interpreted as meaning that the person was performing or intending to perform the duties of constituted authority was liable to ten years rigorous imprisonment and a fine. Anyone who knew or had reason to believe that his relative or dependent had joined or was about to join persons actively engaged in the disturbances and failed to give information to the police could be sentenced to five years rigorous imprisonment and a fine. For carrying the Congress flag a man was sentenced to imprisonment for seven years and fined Rs.3,000.

But Irwin and his colleagues took no decisive steps to moderate the vigour of the provincial authorities. They retained responsibility for matters of significance to the whole country, but allowed the local governments to decide for themselves the seriousness of any particular crisis and the immediate measures required to deal with it.<sup>1</sup> Besides, at this time the Government of India's attention was almost entirely devoted to fresh developments on the Frontier. The traditional manner of maintaining control over the tribes across the administrative border was the payment of generous subsidies coupled with occasional displays of strength. By 1930 Rs.885,790 were being paid annually as allowances to the tribes, and respect so purchased was sought to be retained by bombing from the air. It is clear, however, that contrary to the Air Ministry's belief,<sup>2</sup> the tribesmen had not been frightened by the appearance of these wings of steel. No such extraneous factor could tame their belligerent nature. One *malik* (headman) frankly remarked that they misbehaved regularly once in eleven years: 1897, 1908, 1919 and 1930.<sup>3</sup> The failure to secure any permanent benefits from the Khyber railway had caused some dissatisfaction among the Afridis and the reduction in military service and Government's support of the Shia Moslems against the Sunnis had

<sup>1</sup> See, for instance, Government of India telegram to Bombay Government No. 1444S dated 10 May 1930.

<sup>2</sup> Air Ministry Memorandum, Mar. 1926.

<sup>3</sup> Quoted in express letter of Chief Commissioner North-West Frontier Province, No. 399L dated 23 Nov. 1930.

strained relations further. The Mohmands grumbled that their allowances had not been increased during thirty years. Improved communications had enabled greater intercourse with British India, and many of the richer tribesmen often visited adjoining cities. The Sarda Act roused vague alarm that the authorities were seeking to interfere in the private lives of Moslems by insisting on an age of consent for every marriage. Now rumours spread like forest fires throughout the area that the Government were tottering, and, desperate because their troops and police were disaffected, had wantonly opened fire on the Moslem population of India. The authorities at Peshawar and Delhi believed that this propaganda had been made more easily acceptable by the payment of large sums of money, and as there was no real evidence to show that the Afghan or Russian Governments had financed this campaign, concluded that the Congress was responsible. There is, however, no proof that any money was paid; and it is more likely that the mere accounts of the bloodshed and anarchy at Peshawar, allegations of interference with Islam, and stories of the successes achieved even by the despised Hindus had sufficed to rouse tribes who on other occasions had required no provocation at all. But whatever the reasons, it was clear by May that the whole tribal territory from the Malakand to south Waziristan was in a high degree of restlessness. The *maliks* and elders were, as a rule, cautious and restrained, but the *mullahs* and younger men of almost every major tribe reached for their rifles and panted to cross the border.<sup>1</sup>

The first move was made by the Haji of Turangzai, a distant relative of Gaffar Khan, his son being married to the Red Shirt leader's cousin's daughter. In the tangle of the Haji's motives obviously the obligations of kinship formed as important a strand as political ambition or religious bigotry. He assembled a *lashkar* or force of about 700 men and dispatched it under his son's command to take up its position opposite Matta Moghul Khel, in Peshawar district.

<sup>1</sup> Birdwood's dispatch on N.W.F. disturbances; N.W.F. telegram to Foreign Department No. 54L dated 18 Aug. 1930; Resident Razmak telegram to Foreign Department P. No. 1454-S dated 18 Aug. 1930; and Viceroy's telegram to Secretary of State R. No. 2809S dated 22 Aug. 1930.



Arriving on 6 May, the tribesmen opened negotiations with the inhabitants of British India, who promised them food supplies. After a day's notice the *lashkar* was bombed from the air incessantly from 11 to 19 May, but it refused to retreat. Border patrols were strengthened to prevent tribal infiltration and dispatch of supplies from the administered areas, but the very presence of this armed force encouraged the men of Peshawar district to revolt once more. Roads were blocked, telegraph and telephone wires cut, the police threatened and, despite every precaution on the part of the authorities, contact maintained with the Mohmand *lashkar*. The tension spread to the Mahsuds in Waziristan, where the *jirgas* were broken up by an advance column supported by aircraft. Within the province, Matta Moghul Khel, Katozai, Utmanzai, Dargar, Charsadda, and Shahkadr, all in Peshawar district, and Bannu city were occupied by troops and disarmed. But towards the end of May there was trouble again in Peshawar city. A British soldier cleaning a rifle accidentally killed a Hindu woman and her two children. This incident inflamed even Moslem opinion, and the funeral procession soon became an excited crowd of about 2,000 persons. Troops were sent out to control it, and unfortunately a bend in the road prevented the commanding officer from realizing the position of the procession till the soldiers came face to face with it.<sup>1</sup> There is no agreement as to what exactly happened then. It was contended on behalf of the authorities that the people in the forefront were demented and completely out of control and tried to snatch rifles from the troops, while another eye-witness, a retired Indian police officer, informed the Government of India that there was no provocation on the part of the people. Certainly no magistrate or police officer was present when the troops fired seventeen rounds point blank into the crowd. This crushed disaffection in the city but alienated the people of the whole district who now placed their hopes in the tribesmen. In addition to the Mohmands, who still sat on the border, the Orakzais and Afridis, who had throughout May been gathering in groups, in June formed a *lashkar* and set out openly across the Khaujri plain, apparently in the belief that British rule had

<sup>1</sup> See report of Capt. C. F. Hopegood, Second Battalion Essex Regiment.



ended. Despite air operations they steadily advanced, and on the night of 4 June about 1,500 Afridis entered Peshawar district. Tribal invasions of British territory had occurred before, but never hitherto in areas where large British forces were permanently stationed. The local inhabitants supplied them with food and assisted them against the British, but could not prevent aircraft from leaving the ground. The next day a vigorous cavalry drive compelled the retirement of the whole *lashkar*. The Haji's followers were not so easily shaken off, and it was not till the end of the month, after continuous effort on the part of the Royal Air Force, that they were dispersed.<sup>1</sup>

Meantime, acting on the advice of Sir Fazl-i Husain,<sup>2</sup> the ablest of the Moslem leaders of the Punjab, who had joined the Viceroy's Council in April 1930, the Government of India sought to divert the growing political consciousness in the province into constitutional ways of thought. It was believed that the roots of unrest lay not in any general desire for freedom nor in acceptance of the tenets of the Congress but in specific local grievances such as official impediments to social progress, the lack of local self-government, the refusal to bifurcate Peshawar district and the failure to associate the Frontier Province with the canal colonies which had been established in the Punjab.<sup>3</sup> So Irwin announced to a Moslem deputation that he had set up a committee to examine the possibility of extending the reforms to this province and gave an assurance that administrative grievances would be redressed without delay.<sup>4</sup> Early in July Husain visited Peshawar and in his presence Pears,<sup>5</sup> the new Chief Commissioner, publicly stated his willingness to introduce elections for local bodies, offered to consider the suggestion that an advisory

<sup>1</sup> Dispatch of Birdwood.

<sup>2</sup> B. 1877; barrister of the Lahore High Court; member of the Punjab Government with short interruptions 1921-30; education member of Viceroy's council 1930-5; d. 1936.

<sup>3</sup> See Home Department telegram to Chief Commissioner N.W.F.P. 1777S 13 May 1930 and his reply telegram 2/W 2 June 1930, note of Sir Fazl-i Husain, 16 May and letter of Howell to Pears, 28 May 1930.

<sup>4</sup> Reply to Moslem zemindars of the Punjab, 4 June 1930.

<sup>5</sup> B. 1875; entered Indian civil service 1898; Political Agent on the N.W.F. 1904-17; Resident Mysore 1925-30; Chief Commissioner N.W.F.P. 1930-1; d. 1931.

committee be associated with the administration and promised that local rates would be no higher than in the Punjab.<sup>1</sup> Intense propaganda to the effect that the Congress was a Hindu organization wherein Moslems had no place was also sustained; and these efforts to break the association of Pathans with the general movement in India were not wholly futile.

In all the other provinces also it became possible by the first week of July to grasp the pattern of the situation. Everywhere the Congress seemed to be in retreat. In Madras, and especially in the Andhra districts, the movement had been suppressed with severity, in Assam it had never been strong, and in Bihar and Orissa and the Punjab the Governments were confident of control. An ordinance to control newspapers brought the greater section of the press to heel; few even of those newspapers which were openly attached to the Congress cause were prepared to close down. The raids on the salt depots, when volunteers advanced in wave after wave, with joy and determination, to have their heads battered and their bodies bruised, taxed the Government's strength to the utmost, and filled Western observers (of whom there were many well-known figures in India at this time) with mixed anguish of resentment and shame.<sup>2</sup> Yet ultimately the authorities prevailed, and thereafter salt ceased to be the chief issue. But other aspects of the movement gained prominence. The Working Committee, meeting at Bombay towards the end of May, had appealed to Indian troops and police not to act against their fellow countrymen; and the Commander-in-Chief and his senior colleagues impressed on the Government of India that strong action was the most effective way of preserving the loyalty of the Army.<sup>3</sup> Congress volunteers in Bombay and Madras were seeking to convert policemen,<sup>4</sup> and soldiers passing through Almora on leave became targets of propaganda.<sup>5</sup> The policy of arresting only the leaders was obviously ineffective in countering a movement which drew its strength from local

<sup>1</sup> 3 July 1930.

<sup>2</sup> See, for example, George Slocombe in the *Daily Herald*; Farson, op. cit., pp. 614 ff.; and Webb Miller, *I Found No Peace* (London, 1937), pp. 183 ff.

<sup>3</sup> Note of Emerson, 2 June 1930.

<sup>4</sup> Note of Emerson, 19 June 1930.

<sup>5</sup> Notes of the General Officer Commanding Eastern Command, 14 June 1930, and of the Chief of General Staff, 17 June 1930.

organizations. The Government of India therefore considered the advisability of declaring Congress bodies and committees at every level illegal.<sup>1</sup> Of the local governments, those of Madras, Bengal, Punjab, Assam, and the North-West Frontier favoured the sanction of discretionary authority to act against particular local committees, but the Governments of the United Provinces, Punjab, Bengal, and the Central Provinces disliked outlawry of the Congress as a body. The Bombay Government, on the other hand, while they suggested postponement of any change of policy till the publication in three weeks' time of the Simon Commission Report, believed that the Congress Working Committee should be the first to be banned.<sup>2</sup> So the Governor-General in Council decided to grant local governments discretion to notify as unlawful associations bodies, including provincial and district Congress committees, which were organizing civil disobedience, and to explore further, in consultation with the United Provinces Government, within whose territory the Working Committee functioned, what action might be taken against it.<sup>3</sup> The United Provinces Government felt that such action was not justified by local conditions and might well revive an agitation which was more or less at a standstill. The authorities of this province informed the Government of India that the immediate necessity for countering disaffection among the armed and police forces had not been proved, and in attacking the Working Committee, which was not really the directing force behind the movement, the Government would be employing a final weapon which would leave them with very little else except martial law or its civil equivalent. An attack on the Congress as a body might at some time be necessary, but that time was not yet; the agitation had lasted only ten weeks, and the authorities, still placing their main reliance on the factor of *ennui*, should continue the policy of steady pressure by arresting troublesome persons.<sup>4</sup> This was cool wisdom; but the

<sup>1</sup> Telegram to all Local Governments and Administrations S. 685 dated 25 May 1930.

<sup>2</sup> See replies of Local Governments, 26 to 29 May 1930.

<sup>3</sup> Order in Council, 3 June 1930.

<sup>4</sup> Telegram of United Provinces Government No. 166 dated 15 June 1930; letter of Hailey to the Viceroy, 25 June 1930.

Government of India, swayed by the alarm of the General Staff and the opinion of the Chief Commissioner of the North-West Frontier Province that no official propaganda was possible in the border areas till the Working Committee had been banned, and aware that the Simon Commission Report would most probably intensify agitation, secured the Secretary of State's approval to the declaration of the Working Committee as an unlawful association.<sup>1</sup> On 30 June the All-India Congress Committee and the Working Committee were outlawed, and the President, Motilal Nehru, was arrested. Thereafter the Working Committee with changing membership sought to meet in various parts of the country. At Bombay early in August, as the validity of the proclamation of the United Provinces Government in Bombay Presidency was in doubt and there were hopes of peace,<sup>2</sup> action was hesitant and delayed; but later in the month all local governments (except Burma, where the committee was unlikely to meet) were instructed to proclaim the Working Committee unlawful and prevent it from functioning.<sup>3</sup> So thereafter civil disobedience lacked steering; but it had by now secured sufficient momentum to continue on its own. Bombay city, it was noticed,<sup>4</sup> had two governments; the Europeans, the Indian soldiers, and the elder Moslems were loyal to the British, but the rest obeyed the Congress. Volunteers kept a strict watch in the business quarter and enforced the boycott rigidly. Mills that were not prepared to utilize only Indian yarn in their manufactures were compelled to close down, and the Bombay Government had hastily to withdraw a naïve circular which sought to persuade Indians to buy British goods merely because they were the best in the world. As for the districts, order was restored in Sholapur and martial law withdrawn; but Gujerat began to organize itself for a political no-tax campaign. In Ahmedabad, Kaira,

<sup>1</sup> Telegram from the Chief Commissioner, N.W.F.P. No. 644P dated 17 June 1930; telegrams to Secretary of State Nos. 2003-S/204 dated 17 June and 2061S dated 21 June 1930; Secretary of State's telegram No. 2010 received 23 June 1930.

<sup>2</sup> See *post*, pp. 93 ff. Telegrams to Bombay Government Nos. 2543S dated 30 July and 2636S dated 8 Aug. 1930.

<sup>3</sup> Telegrams to all Local Governments Nos. 2815S dated 23 Aug. and 2998S dated 5 Sept. 1930.

<sup>4</sup> H. N. Brailsford, *Rebel India* (London, 1931), p. 13.

Broach, and Surat districts 15.5 per cent. of the land revenue was in arrears for the period ending 31 May; and the Bombay Government were convinced that all of it was not due to a poor harvest. They therefore sought permission to use coercive measures to break this defiance, on the clear understanding that, unlike what had happened in Bardoli two years before, there would be on this occasion no reversal of policy. Not merely lands sufficient to meet the arrears but the whole holding should be declared forfeit and sold with an assurance of finality to the purchasers. A large number of village revenue officials in these districts had also been persuaded by the Congress to resign<sup>1</sup> and their vacancies should be permanently filled.<sup>2</sup> The Government of India agreed, and gave the required assurances that there would be no reconsideration; for it was probable that unless the Bardoli precedent were finally laid the no-tax campaign would resist suppression and spill over into other districts to form the most embarrassing single phenomenon of the whole movement.<sup>3</sup> By the time civil disobedience was discontinued in March 1931, the Bombay Government had declared 20,750 acres forfeit of which 8,300 acres were restored on payment of arrears, 2,050 acres sold, and 10,400 acres retained in the hands of Government.<sup>4</sup> In the whole Presidency, 1,900 *patels* resigned; 1,200 soon withdrew their resignations and were reappointed, and of the other vacancies about 140 were filled.<sup>5</sup> One hundred and sixty-two *patels* who resigned were later formally dismissed.<sup>6</sup> Economic conditions in the United Provinces were propitious for similar activity, but the peasants there lacked experience of revolt and awaited direction. The Government, however, had already armed themselves with an ordinance penalizing incitement not to pay land revenue. There was a fresh surge of student and terrorist

<sup>1</sup> Till 7 June, 875 out of 2,783 *patels*, 1,597 out of 6,294 subordinate officials, and 920 out of 6,115 inferior village servants.

<sup>2</sup> Confidential letter from Chief Secretary, Government of Bombay (Revenue Department) No. O.B. dated 17 June 1930.

<sup>3</sup> Notes of Emerson, Home Secretary, and Haig, officiating Home Member, 27 June, and Government of India's Confidential letter to Chief Secretary, Bombay Government No. D. 4166-30 Pol. dated 3 July 1930.

<sup>4</sup> Telegram of Bombay Government dated 25 Feb. 1931.

<sup>5</sup> Telegram of Bombay Government dated 28 Feb. 1931.

<sup>6</sup> Telegram 3 Mar. and express letter, 10 Mar. 1931 of Bombay Government.



agitation in Bengal, and in the Central Provinces, which for long had remained undisturbed, aboriginal tribes began to defy the forest laws. Still, a shrewd commentator concluded that, all things considered, the position was more hopeful than at any time since November 1929.<sup>1</sup> The Government of India, perhaps of like opinion, rejected the suggestion of Sykes at a conference of Governors that the executive authorities be vested with summary powers and Congress funds be seized.<sup>2</sup>

Within a few days, however, the situation again began to deteriorate; and once more it was the Frontier Province that compelled attention. Nothing had been done to keep alive the goodwill created by Sir Fazl-i Husain and to implement the promises made by Pears. A deputation of Moslem leaders including Maulana Shaukat Ali,<sup>3</sup> Jinnah, and many members of the Council of State and the Legislative Assembly had met officials at Simla on 15 July and suggested a generous policy of release of political prisoners. The Government of India also felt that such a step would assist greatly in winning over Moslem opinion throughout India and ensuring the loyalty of the Frontier Province. Pears replied that no general amnesty was possible, for many prisoners were so imbued with sedition that if released they would require to be immediately rearrested; but he freed 187 by 25 July. Unfortunately, two days later, two Moslem politicians who had participated in the talks at Simla were taken into custody on old charges; and though, at the instance of the Central Government, they were soon after released on parole, the incident destroyed whatever hopes there might have been of conciliation. While the committee set up by the Congress to inquire into the Peshawar riots suggested—in a report which though proscribed by Government secured wide circulation—that the authorities had been deliberately brutal, the sanction of a public inquiry by the Government themselves convinced many of their weakness. A *lashkar* of the Mahsud tribes advanced and was driven back in July; but the next

<sup>1</sup> See the report of the Special Correspondent in *The Times*, 15 July 1930.

<sup>2</sup> Sykes, *op. cit.*, pp. 402-3.

<sup>3</sup> A prominent Moslem politician, and one of the leaders of the agitation soon after the war against the deposition of the Caliph.



month saw a formidable Afridi incursion. About 3,000 of them camped on the edge of Peshawar district, and 1,200 crossed the border in small groups. The shark, as Winston Churchill remarked, had come out on to the beach.<sup>1</sup> The unusually enclosed nature of the country, the numerous villages, large gardens, and intricate *nullahs* (ditches) and the standing crops facilitated their entry; and the inhabitants once more gave the intruders every assistance within their means. With a remarkable degree of discipline the Afridis refrained from looting, posed as liberators, and even avoided firing on Indian troops.<sup>2</sup> The position was obviously serious, for unless the invaders were swiftly expelled the whole border would be afire and the province itself might disintegrate with disaffection. By 11 August the district had been cleared of all tribesmen, barring a few who stayed behind to search for the bodies of their fallen comrades;<sup>3</sup> but the Government of India had been struck too often to be able to relax. They agreed with Pears that ordinary civil powers were insufficient to deal with the state of war which existed in the district and secured the Secretary of State's approval to the promulgation of martial law; but this sanction was coupled with the advice that every precaution should be taken to avoid action likely to produce embarrassing repercussions outside the province such as had been caused by incidents at Sholapur.<sup>4</sup> On 16 August the province was placed under martial law. Sir Fazl-i Husain was absent through illness from the meeting of the Viceroy's Council which reached this decision<sup>5</sup> and no other member doubted its necessity. Yet the crisis of this particular incursion had by this time been passed and it is unusual to impose martial law as a preventive measure against the possible renewal of danger. Indeed if this argument had any force, there was no reason why the whole of India should not be under martial

<sup>1</sup> Speech at Minster, *The Times*, 21 Aug. 1930.

<sup>2</sup> See Viceroy's telegrams to Secretary of State 2710S dated 13 Aug. 1930, and R. No. 2809S dated 22 August 1930.

<sup>3</sup> See Birdwood's Dispatch.

<sup>4</sup> Telephone messages of Pears to Howell narrated in Howell's note, 12 Aug. 1930, Viceroy's telegram to Secretary of State 2710S dated 13 Aug. 1930, and Secretary of State's telegram 2616 dated 14 Aug. 1930.

<sup>5</sup> See note of Sir Fazl-i Husain, 7 Oct. 1930.

law.<sup>1</sup> The fact was that Irwin desired to act in this matter according to the advice of the man on the spot,<sup>2</sup> and Pears was emphatic that the worst was not over, the Afridis having, in his opinion, withdrawn only to collect reinforcements from other tribes.<sup>3</sup> But all the officers of the province were warned that martial law should be accompanied by the minimum disturbance to the comfort and tranquillity of law-abiding citizens and the least possible dislocation of the normal functions of the civil administration. After the declaration of martial law, however, no emergency developed of a sufficiently serious nature to justify it, and it was clearly too drastic a measure for the useful precautions that it enabled. Husain ceaselessly urged its withdrawal, if only because the secrecy which surrounded its administration fostered widespread rumours of atrocities. If the matter were taken up in the Assembly, these allegations might well excite Indian opinion, as the Punjab atrocities had done ten years earlier. In fact martial law, though proclaimed throughout the district, was administered only in Peshawar subdivision and there too with moderation. It was never used to supplement the ordinary law in dealing with disturbances, and no special courts were set up. Besides the moral value of the sense of urgency created by it, the only practical advantages lay in the rapid evacuation of villages, destruction of garden walls and cutting of crops. But these could not justify the indefinite continuance of extraordinary powers, and on 24 January 1931 martial law was abrogated; a Public Safety Regulation, however, enacted in the first instance for a year, authorized for purposes of public safety acts which involved interference with private rights in property. During the five months that martial law was in force, twenty-one men were convicted under it, but the maximum punishment awarded was rigorous imprisonment for three months.<sup>4</sup> This was interpreted by Government as demonstrating their moderation and by their opponents as proof that there had been no need for drastic measures.

<sup>1</sup> Sir Fazl-i Husain, *ibid.*

<sup>2</sup> Telegram of Private Secretary to Viceroy to Chief Commissioner No. 7378 dated 11 Aug. 1930.

<sup>3</sup> Note of Howell, 14 Aug. 1930.

<sup>4</sup> Report on the administration of martial law in Peshawar district from 16 Aug. 1930 to 23 Jan. 1931.

In the official view, as indispensable as the policy of precautions within the province was deterrent action in the tribal areas. Though the Afridis had retired, they were still in a truculent mood, and the comparative success of their two incursions had shaken the prestige of British authority. So the general consensus of opinion at Peshawar and Delhi was in favour of immediate retaliation. The Chief Commissioner suggested the annexation of the Khyber Pass and the permanent occupation of the Tirah; if the latter were not feasible, then the defences of Peshawar required to be strengthened.<sup>1</sup> The Government of India agreed that permanent occupation of certain parts of the plain lying beyond the administrative border which the tribesmen had utilized as bases for their attack was the only final solution, but were deterred by the enormous expenditure it would entail.<sup>2</sup> So they preferred to declare some sections of the Afridi tribes to be hostile, advance across the border, spend Rs.800,000 on building roads, and establish effective control over the Khajuri and Aka Khel plains. Any opposition would be countered by land and air operations.<sup>3</sup> But the Cabinet rejected these proposals. They were strongly opposed to 'making an example' of any tribe or even a section of a tribe as a retribution for past misdeeds. The Government of India might negotiate with the Afridi *jirga* regarding establishment of posts and building of roads, but no military action should be taken without the Cabinet's approval.<sup>4</sup> To the objection that without a show of force and an advance of troops at least a few miles across the open plain it would be well-nigh impossible to restore settled conditions on the frontier the British Government replied that the construction of roads and posts was a sufficient vindication of damaged prestige; but as a concession to the viewpoint of Irwin and his advisers, which was apparently advocated with vigour by the Secretary of State, they authorized the advance of troops if necessary for securing these limited objects.<sup>5</sup> A *jirga* was summoned to

<sup>1</sup> Telegrams 78L and 79L of 24 Aug. 1930.

<sup>2</sup> See Howell's letter to Pears 3835-F/30 dated 27 Aug. 1930 and note of Howell, 2 Sept. 1930.

<sup>3</sup> Telegram to Secretary of State No. 3170S dated 18 Sept. 1930.

<sup>4</sup> Telegram from Secretary of State 3143 dated 20 Oct. 1930.

<sup>5</sup> See telegram to Secretary of State 3316S dated 3 Oct., telegram from Secretary

meet on 15 October, but as there were no signs of a response a brigade crossed the border on the 17th. On the afternoon of the next day a *jirga* of about 1,500 assembled at Jamrud, but the advance of the troops was not suspended. The Afridis, however, were in no accommodating mood; they were prepared to pledge themselves to keep the peace but would give no surety, and refused to permit the construction of posts and roads.<sup>1</sup> This obstinacy suited the Government of India, who, after the *jirga* broke up, went ahead with their plans to build a seven-mile road from Bara fort to a point at the western end of the Khajuri plain and to link this point by subsidiary roads with the Khyber and Kohat roads. The brigade advanced up to this point, while a fair-weather road was constructed almost up to Miri Khel, 7 miles south-west of Bara fort.<sup>2</sup> The Afridis now asked for a second *jirga*, which met on 7 November, but they were not prepared to negotiate until British troops had been withdrawn from the Khajuri and Aka Khel plains.<sup>3</sup> Three hundred tribesmen were reported to be advancing to attack British troops, and some senior officials of the Government of India seriously considered whether it would not be politic, if British troops were attacked, to allow the movement to develop until its aggressive character had been demonstrated beyond dispute.<sup>4</sup> The Afridis, however, seem to have lost the spirit to fight, and a considerable group among them was urging a compromise. Despite their brave words they took no steps to prevent either the British advance or the construction of roads. There were rumours of plans to enter Peshawar by stealth and kidnap Englishmen and to destroy the lorry utilized to carry mail and stores to the British legation at Kabul; so the Khyber Pass was closed to visitors, movements of Europeans outside Peshawar cantonment were restricted, the Grand Trunk Road and the railway line were patrolled, and, to prevent pilots from falling into Afridi hands, flights over the

of State 3167 dated 4 Oct., and Viceroy's personal telegram to Secretary of State dated 7 Oct. 1930.

<sup>1</sup> Telegrams of Chief Commissioner to Home Department 292L and 296L dated 22 and 23 Oct. 1930.

<sup>2</sup> Government of India press communiqué, 15 Nov. 1930.

<sup>3</sup> Chief Commissioner's telegram to Home Department dated 19 Nov. 1930.

<sup>4</sup> Howell's personal letter to Pears, 21 Nov. 1930.



Tirah were reduced to a minimum.<sup>1</sup> Supported neither by their fellow tribes nor by the Afghan Government, the Afridis could make no headway, and their proud intransigence at the two *jirgas* served only as a pretext for British occupation of the main approaches to Peshawar.

Meantime, in other parts of India, civil disobedience once again began to gather momentum. The boycott was as rigid as ever. Imports of piece-goods in September amounted to 48 million yards (the corresponding figure for September 1929 was 160 million); and the import of foreign cigarettes fell to 200,000 (as against 1,300,000 twelve months before). Business in Bombay city was stagnant. Most Indian businessmen sympathized with civil disobedience, fed Congress volunteers and supplied them with funds, and were prepared to support the boycott even if it meant insolvency. Half the total mill-hand population of 175,000 was expected to be unemployed by September, and the Congress was gaining influence among them.<sup>2</sup> Towards the end of October, when small traders usually purchase fresh stocks, Congress volunteers in Bombay sought to inspect every warehouse and shop; and the Government retaliated by declaring the Congress illegal and confiscating its buildings and property. But this did not so much suppress the organization as drive it underground. Motilal Nehru was released, on grounds of health, in September, and his son the next month, and their presence restored leadership to the movement. Till then, while there had been some revival of the tradition in Gujerat of refusing to pay land taxes, defiance of the forest laws by the Gonds in the Central Provinces, and efforts to popularize a no-tax campaign in the Punjab and Bengal, the Congress had been, on the whole, chary of fanning a class struggle.<sup>3</sup> In the United Provinces agricultural prices, already low in January 1930, had been falling fast throughout the year, and about the end of June agitation for non-payment of rent and revenue began to assume importance;<sup>4</sup> but it was only in

<sup>1</sup> See telegram of Chief Commissioner to Home Department 337L dated 6 Nov. 1930 and note of F. V. Wylie 27 Nov. 1930.

<sup>2</sup> Petrie, Director Intelligence Bureau, to Emerson, 20 Aug. 1930.

<sup>3</sup> Nehru, *op. cit.*, p. 232.

<sup>4</sup> *Report on the Administration of the United Provinces of Agra and Oudh 1929-30* (Lucknow, 1931), p. v.



October, during the week that Jawaharlal Nehru was out of prison, that the movement gained impetus in Allahabad district and from there spread to other districts. At the time of collection the *raiya*s (peasants) pleaded that the yield had not sufficed even to cover the costs of production; but the authorities tended to regard the failure to pay as born of political discontent rather than of economic distress. An ordinance for countering recalcitrancy in payment of revenue, which had lapsed at the end of November, was renewed towards the end of the year and supplemented by an Unlawful Instigation Ordinance. Revenue was collected with the support of the police and in Bombay a large special force was recruited for this particular purpose. In other words, the authorities were prepared to employ coercion; and in the United Provinces there were complaints of torture and harassment.<sup>1</sup> Even so, the agitation was never wholly suppressed, but indeed spread to the Central Indian states.

It was clear then, by the end of 1930, that civil disobedience was by no means dead. Official opinion, looking back after the crisis was over,<sup>2</sup> tended to the view that with the new year the situation had definitely improved and in many parts of the country the movement had ceased to be of significance; but the men with immediate responsibility saw at the time no cause for complacency.<sup>3</sup> The imposition of collective fines on whole villages and districts and the quartering of additional police on turbulent sections of the people had served as deterrents, and whipping proved most effective in dealing with young offenders. But such vigorous action could do no more than scotch the movement in limited localities, particularly in the Punjab and Madras. Elsewhere ordinances only seemed to serve the purpose of providing fresh opportunities for defiance; and when the ordinances lapsed the tendency to lawlessness was keener than before.

Indeed this note of defiance found an echo, most unexpectedly, even in the recesses of the Burmese jungles. Burma

<sup>1</sup> *Agrarian Distress in the United Provinces*. Report of the Committee appointed by the United Provinces Congress Committee (Allahabad, 1931), p. 15.

<sup>2</sup> *India in 1930-31* (Calcutta, 1932).

<sup>3</sup> Report of the Conference of Police Officers held at New Delhi, 19-24 Jan. 1931.

is geographically distinct from India and separated from it by sea, hill and forest. The exigencies of administration formed the only justification for placing the Burmese people, who have little in common with Indians, under the rule of Delhi. If educated Burmese opinion sympathized even faintly with Indian nationalist sentiment it was in the hope of attaining self-government for Burma, for it would be easier to break away from India than from Britain. But Burmese nationalism was in the main unsophisticated, and based on magic, ritual, and expectation of a saviour king. Any influence Gandhi had in this province at this time he owed, not to the impress of his teachings or the power of his genius, but to the fact that on the day he was arrested in 1930 there was a violent earthquake. Yet, mainly because of the dislike of the Indian community, civil disobedience never became a reality,<sup>1</sup> and till almost the end of the year Burma retained its reputation of being the most loyal and contented province in India. But suddenly in December rebellion broke out in Tharrawaddy and in a few months spread to the neighbouring districts. While doubtless the movement was fostered by the atmosphere in the rest of India and the general distress caused in the rural areas by the heavy fall in the price of rice, it was in essence a ferocious outburst of medievalism, more akin to Mau Mau than to *satyagraha*. Fortified by the pronouncements of astrologers and the belief that supernatural forces supported their cause, 'King Golden Eagle' and his followers infested the rocky jungles between Rangoon and Mandalay and carried on guerrilla warfare long after the rest of India had reverted to the ways of peace. The last upsurge of revolt against the Government of India, however bizarre and unconnected with the main effort, was not to be ignored.

<sup>1</sup> *Report on the Administration of Burma for the year 1930-31* (Rangoon, 1932), p. vii.

## VI

### THE SETTLEMENT

OF the need to accept the challenge of civil disobedience and maintain the authority of the established Government Irwin had never any doubt. He tarried long in face of Gandhi's persistent defiance, but once the battle was joined there was no half-heartedness. Mass action, the Viceroy told the Legislative Assembly,<sup>1</sup> even if intended by its promoters to be non-violent, was nothing but the application of force under another form, and when it had as its avowed object the making of government impossible, a Government was bound either to resist or to abdicate. To force, then, Irwin opposed force; and had he done no more he would have fulfilled his appointed obligations. But even when the crisis was most intense he retained his belief that force alone would not be enough. Compelled to enforce law and order, he did not neglect the necessity of furthering a political solution. Irwin made clear at the first opportunity that the movement had not deflected the British and Indian Governments in the least degree from their policy.<sup>2</sup> Determined resistance to rebellion would not affect the decision to proceed along the road to withdrawal.

But if the movement inspired by the Congress did not alter official policy in this regard, it certainly made its implementation more difficult. The Government, which underrated at the start the grip of the Congress on the people, tended also to over-rate the strength and influence of other parties.<sup>3</sup> In the Viceroy's Council, the Home Member stated that any effort to reach a 'gentleman's agreement' with the Congress was fantastic, and favoured the deliberate encouragement of the parties opposed to it.<sup>4</sup> Only gradually did officials accept the conclusions forced on them by the

<sup>1</sup> 9 July 1930: *Indian Problems*, p. 92.

<sup>2</sup> Speech 13 May 1930.

<sup>3</sup> This erroneous optimism was echoed by *The Times*: 'The Congress party may hold the stage, but other actors are in the wings.' 27 May 1930.

<sup>4</sup> A. Husain, *Fazl-i Husain* (Bombay, 1946), p. 227.

events of the civil disobedience movement, that Gandhi's influence over the masses had no near rival, the Congress commanded the sympathy, if not the support, of the majority of politically conscious Indians, and while this party was in revolt no constitutional progress was possible.

But before any effort to advance could be made, the ground had first to be cleared of the debris of the Simon Commission. Its report was published in June 1930, and never did so massive a document—massive in both bulk and the amount of research and labour involved—cause so slight a ripple. Born under an unlucky star and faced with unparalleled prejudice in India, the commission presented a unanimous report; this, said *The Times*,<sup>1</sup> was an astonishing achievement, but it was also a hollow one. One of the Commissioners, Lord Burnham,<sup>2</sup> belonged to the Conservative group that believed in retaining India if necessary by force,<sup>3</sup> and towards the end of 1929 he offered to resign. The chairman, who regarded it as his duty not so much to frame proposals that would answer the situation as 'at all costs to keep the Indian Commission going . . . without internal rupture', secured the King's intervention to prevent Burnham's resignation.<sup>4</sup> The price obviously was, as the report when published showed, that the proposals should be acceptable to diehard opinion; and the watering down went so far as to dissolve all suggestions of progress. After a meticulous, if somewhat lifeless, analysis of the Indian scene, the commission recommended the abolition of dyarchy and the grant of full autonomy to the provinces, but was not prepared to remove the official and nominated members from these Cabinets. At the Centre, the commission believed that the time was not yet ripe for the introduction of a popular element into the Government, and suggested only the institution of an indirectly elected Federal Assembly. No mention was made of Dominion Status, to which the Viceroy had but recently reiterated Britain's commitment. The explanation perhaps lay in the commission's statement that in

<sup>1</sup> 10 June 1930.

<sup>2</sup> Sir Harry Levy-Lawson, second Baron and first Viscount Burnham (1862–1933); proprietor of the *Daily Telegraph* 1903–28.

<sup>3</sup> See speech at the Forum Club, reported in *The Times*, 6 Feb. 1931.

<sup>4</sup> Nicolson, *op. cit.*, pp. 504–5.

Australia, Canada, and South Africa a central government had evolved from the attainment of self-government by the states; but the analogy could not apply to India, and it was the lack of an explicit affirmation of the goal that struck Indian opinion most sharply. There was no one in India who was prepared to believe that the scheme of the Simon Commission Report was 'something greater than either Dominion Status or Independence, a self-governing federation unparalleled in the world's history, free and strong to shape its own destinies'.<sup>1</sup> Though the voice of the Congress was stilled, the unanimous report was received with unbroken indifference.

It was, however, not merely Indian reaction that was hostile. The Government of India, committed by the Viceroy to the objective of Dominion Status, still based their hopes on a Round Table Conference; and both the British and the Indian Governments declared that such a conference would be a free one and would in no way be bound or circumscribed by the report.<sup>2</sup> Indeed, to mark their dissociation from this document the British Government, while agreeing to the representation of all British parties at the conference, took the unusual step of excluding Simon; and the Prime Minister never consulted the Labour members of the commission.<sup>3</sup> The report of the Statutory Commission, in fact, had been overtaken by events and was dead before it was born.

With the report out of the way, hope and interest were anchored on the conference; but the extent and intensity of civil disobedience emphasized the fact that if such an assembly was to be a full success the participation of the Congress was essential. A statement of Gandhi in May to George Slocombe, a journalist who was allowed, through the inadvertence of the Bombay Government, to interview him in jail, had revived hopes of such participation. Gandhi said a settlement was still possible if the Round Table Conference were empowered to frame a constitution granting the

<sup>1</sup> The *Manchester Guardian*, 24 June 1930.

<sup>2</sup> Statement of the British Government, *The Times*, 3 July 1930; Viceroy's speech to the Central Legislature, 9 July 1930, *Indian Problems*, p. 96.

<sup>3</sup> Attlee, *op. cit.*, p. 66.



substance of Independence, the salt tax repealed, liquor and import of foreign cloth prohibited, and all political prisoners pardoned.<sup>1</sup> The next month Motilal Nehru, on the eve of his arrest, elaborated this offer. He said that negotiations were possible on the basis of a private assurance by Government that they would support the demand for full responsible government, subject to such mutual adjustments and terms of transfer as were required by India's special needs and conditions and her long association with Great Britain and as may be decided by the Round Table Conference.<sup>2</sup> Nehru himself is said to have later regretted this statement, made in haste, as liable to misunderstanding;<sup>3</sup> but the Liberals Sapru and Jayakar,<sup>4</sup> encouraged by the mood of the Viceroy's speech of 9 July, sought permission to negotiate with the jailed Congress leaders on the basis of their statements. In assenting, Irwin assured Sapru and his colleague that the Government earnestly desired

to do everything that we can in our respective spheres to assist the people of India to obtain as large a degree of management of their own affairs as can be shown to be consistent with making provision for those matters in regard to which they are not at present in a position to assume responsibility.<sup>5</sup>

This could be interpreted as a paraphrase, though with a different emphasis, of Nehru's statement, and brightened the prospects of mediation; and on 23 July Sapru and Jayakar saw Gandhi in Yervada jail. Gandhi stated that personally he would have no objection to a Round Table Conference which concerned itself with safeguards during a period of transition to full self-government, provided he was satisfied with the composition of the conference and was given the freedom to raise the issue of Independence. In such a case civil

<sup>1</sup> Indian News Agency telegram, 21 May 1930. For a detailed account of the two interviews with Gandhi see Slocombe, *The Tumult and the Shouting* (London, 1936), pp. 354 ff.

<sup>2</sup> Statement of 25 June 1930. Slocombe, op. cit., pp. 369-70.

<sup>3</sup> Nehru, op. cit., p. 227.

<sup>4</sup> Mukund Ramrao Jayakar, barrister of the Bombay High Court; member of the Bombay Legislative Council 1923-5; member of the Legislative Assembly 1926-30; Judge of the Federal Court of India 1937-9; member of the judicial committee of the Privy Council 1939-41; Vice-Chancellor of Poona University 1948-56.

<sup>5</sup> For the whole correspondence regarding the Sapru-Jayakar negotiations, see Sitaramayya, op. cit., vol. i, Appendix IV A, pp. 635 ff.

disobedience would be terminated but peaceful picketing and salt manufacture would continue; and in return Gandhi expected the Government to release all non-violent prisoners, restore confiscated properties, refund fines and securities, reinstate officers who had resigned or been dismissed, repeal ordinances, and not enforce the penal clauses of the Salt Act.<sup>1</sup> In insisting on only those three of his eleven points which were of relevance to civil disobedience and reserving the rest for future discussion Gandhi believed he had reached the utmost limits of concession; but when the mediators, armed with these terms, proceeded to Naini jail to interview the Nehrus, they received an even less promising response. The discussions revealed no meeting-ground, and at least one side was convinced that there was not the faintest chance of a settlement.<sup>2</sup> The Nehrus did not accept Gandhi's limited stipulations regarding the purview of the conference and insisted on a previous specific agreement on all crucial issues; and far from claiming acceptance of but three of the eleven points, Jawaharlal Nehru contended that all the points together did not amount to Independence.<sup>3</sup> When Jayakar saw Gandhi again, the latter stiffened his position on the constitutional issues and demanded that India be granted the right to secede and empowered to deal with the eleven points; and an independent tribunal be established to consider British claims and privileges. This was in effect to sidestep the conference; but to leave no prospect of truce untried, Irwin enabled a joint decision by the chief Congress leaders by directing the temporary transfer of the Nehrus to Yervada jail. There the Liberals again met Gandhi and the Nehrus, supported on this occasion by Vallabhbhai Patel and Sarojini Naidu.<sup>4</sup> The Congress attitude was firm; if the Government recognized the right to secede and agreed to transfer all power, even in military and economic matters, to a responsible Government, and referred such British claims and concessions, including the public debt, as seemed urgent to an independent tribunal, the Congress would withdraw all

<sup>1</sup> Gandhi's note to the Nehrus, and his letter to Motilal Nehru.

<sup>2</sup> Nehru, *op. cit.*, p. 228.

<sup>3</sup> Nehrus to Gandhi, 28 July, and Jawaharlal Nehru to Gandhi, 28 July 1930.

<sup>4</sup> Poetess and politician: President of the Indian National Congress 1925; Governor of the United Provinces 1947-9; d. 1949.

aspects of civil disobedience save peaceful picketing and salt manufacture.<sup>1</sup> When Sapru and Jayakar informed the Viceroy of these conditions, Irwin replied that discussion on this basis was impossible. At the conference, where the Congress would be adequately represented, any issue, including that of Independence, could be raised by delegates, but the Government could not agree to treat it as an open question. Similarly, while they could not accept total repudiation of all debts, it was open to the conference to examine any such question. If civil disobedience were abandoned, the ordinances could be revoked and confiscated printing presses would be restored; but release of prisoners, re-employment of officials who had resigned or been dismissed, refunds of fines and securities, and restoration of confiscated property were all matters to be decided on the facts of each particular case by local governments, who would be as accommodating as circumstances permitted. Peaceful picketing the Viceroy was willing to permit, but he refused to condone breaches of the Salt Act. He offered, however, to convene a conference, once a settlement had been effected, to consider measures for relieving economic distress; and if the legislature desired to repeal the salt law and suggested alternate sources of revenue, the Government would consider such proposals on their merits.

Sapru and Jayakar believed that there was scope for further discussion on the basis of the Viceroy's terms, but the Nehrus were unwilling to consider them. It is clear, in fact, that Jawaharlal Nehru, who at this time seems to have guided the Congress approach, was by no means anxious for a settlement. 'For myself I delight in warfare.'<sup>2</sup> The final Congress offer was pivoted on Independence and the right to secede, and its sponsors could hardly have expected its acceptance by the Viceroy, whose policy was founded on the gradual expansion of reforms by means of a conference. Such a fundamental cleavage in outlook left no room for the emollient diplomacy attempted by the Liberals; and in September it was clear that the Round Table Conference would assemble without the representatives of the largest and best-organized party in India. This gave the conference an air of

<sup>1</sup> Letter of 15 Aug. 1930.

<sup>2</sup> Letter to Gandhi, 28 July 1930.

unreality, and Indian opinion in general tended to feel that while the Congress received the kicks the less courageous politicians were proceeding to England to collect the half-pence. The eighty-nine delegates, carefully chosen by the Government from among the Princes and non-Congressmen, had no mandate from anybody and bore no representative character.

On the day the conference was to meet, the Government of India published their proposals on constitutional reform.<sup>1</sup> They conceded greater weight than the Statutory Commission had done to the forces of nationalism in India, and believed that the conditions were not unfavourable for a substantial transfer of power. In addition, therefore, to provincial autonomy they proposed for the Central Government an informal and 'diluted' form of dyarchy. The curtailment of Parliament's control and the subordination, even partially, of the Indian executive to the legislature at Delhi were not matters which, in their opinion, could be given serious consideration; but elected members of the legislature should be given all but the key portfolios of finance, defence and the Indian States. But these non-official ministers, while members of the legislature, could not be removed by it from office; and the Governor-General would retain over-riding powers in all specified matters in which Parliament found it necessary to retain responsibility. He would be vested with powers to enforce a decision in both legislation and finance, and enjoy even the ultimate right to suspend the constitution. As regards separate electorates, the Government of India made no effort to justify them on principle and desired that some arrangement be made for their future replacement by the normal apparatus of democracy; but since there were no immediate prospects of a Hindu-Moslem settlement, separate electorates, where they did exist, should not be abolished without a consenting vote of a two-thirds majority of the representatives of the concerned community in the legislature.

This dispatch of the Government of India was calculated to slacken whatever pace and spirit still remained to the con-

<sup>1</sup> Dispatch 19 Nov. 1930. See *The Indian Quarterly Register* (Calcutta), 1930, vol. ii.



ference. In theory its approach was more daring than that of the Simon Commission Report, and suggested that even some risks should be taken to arrive at a constitutional solution which would give reasonable scope to the ideas and aspirations that were moving India. But its scheme for introducing dyarchy into the Indian executive lacked all substance. Already there were non-official members of the Viceroy's Executive Council; the dispatch only proposed that the choice of such members should be limited to members of the legislature. The object of this was stated to be the provision to the popular element of training and experience in the whole field of government and to the official element of reasonable support in the legislature. Apprenticeship in the higher circles of administration was no novel feature, and clearly the chief purpose of the scheme envisaged by the dispatch was to strengthen the forces of Government in the legislature. That a Government over which Irwin presided should advocate no more tangible advance seems at first sight curiously inexplicable. But probably the Viceroy hoped that the form of dyarchy would be vivified by the spirit of cabinet government, and joint deliberation and common decisions would become the rule. Besides, any more vigorous proposals would have foundered, not only in Parliament but in the Viceroy's Council. Half-hearted suggestions for shadowy advance seem to have been the price claimed by Sir Fazl-i Husain, the strong-minded protagonist in Council of Moslem interests, for the continued refusal of the main section of his community to support civil disobedience. Husain argued that if the Government insisted on the creation of joint electorates, it would be wiser for the Moslems to join the Congress.

I believe the Moslems are now getting hold of their moorings—the Government of India Dispatch. Any advance over that means improving the Moslem position communally, so that by the time we reach full self-government, we are guaranteed against flagrant oppression.<sup>1</sup>

The conference, therefore, with weak representation and, in effect, narrow terms of reference, marked no progress in the evolution of self-government. Its real achievement lay

<sup>1</sup> Entry in diary, 24 Dec. 1930; Husain, *op. cit.*, p. 257.



in the sphere of relations between British India and the Indian States.<sup>1</sup> But the only contribution, from the Indian side, towards the solution of the political problem was to reveal once more the futility of the Liberal politicians. As the special correspondent of *The Times* wrote to his editor, 'no Indian delegation without a three-quarter line composed of Gandhi on one wing, the two Nehrus in the centre, and Malaviya<sup>2</sup> or Patel on the other, can possibly be looked on as representative'.<sup>3</sup> At the conference the demand by all delegates, including the Indian Princes, for responsible government both in the provinces and at the centre served only to show that the party that was the most vigorous spokesman of this demand could not be ignored. By the end of 1930, as the first session of the conference was drawing to its close, the Viceroy had decided to make a determined effort to secure the co-operation of the Congress. Irwin's motives were mainly political. It is true that the Congress campaign, while it was not now beyond control as far as the maintenance of law and order was concerned, had seriously affected the public revenues and damaged British trade;<sup>4</sup> but the prime inspiration of the Viceroy's efforts to secure peace was the indispensability of the co-operation of the Congress if the Round Table Conference was to mark any political advance. The hopes that had been placed in other parties when civil disobedience began had been destroyed by the end of the year. The first session of the Round Table Conference was

<sup>1</sup> See chap. VII, *post*.

<sup>2</sup> A Congress leader with pronounced Hindu feeling. B. 1861; president of the Indian National Congress 1909 and 1918; Vice-Chancellor of Benares Hindu University 1919-40; d. 1946.

<sup>3</sup> 12 Sept. 1930: *The Times History*, p. 877.

<sup>4</sup>

<i>Imports from Great Britain</i>	1929	1930	<i>Decrease</i>
Grey cotton piece-goods (million yards) . . .	532	291	45%
White cotton piece-goods (million yards) . . .	446	305	31%
Coloured cotton piece-goods (million yards) . . .	285	197	31%
Cotton twist and yarn (million lb.) . . .	22	12	45%
Cigarettes (thousand lb.) . . .	4,926	3,471	30%
Drugs and medicines (thousand Rs.) . . .	8,996	7,417	18%
Toilet requisites (thousand Rs.) . . .	2,666	2,152	19%

Viceroy's telegram to Secretary of State 877S dated 24 March 1931 and telegram of Viceroy (Commerce Department) to Secretary of State 885S dated 25 March 1931.

the last chance afforded to the Liberals; from 1931 no one repeated the mistake of minimizing the influence of the Congress, and when that was challenged in later years it was only by other 'mass parties'.

The first official expression of willingness to consider again the possibilities of a settlement was given in the Viceroy's speech to the Central Legislature on 17 January 1931. While deploring Gandhi's policy Irwin recognized the spiritual force impelling him, assumed that Gandhi would recognize the same sincerity in the Viceroy, concluded that their ultimate purposes differed little if at all and invited co-operation in constitutional revision, thus placing 'the seal of friendship once again upon the relations of two peoples, whom unhappy circumstances have latterly estranged'.<sup>1</sup> Such sentiments of appreciation of an opponent in jail for sedition had never before been uttered by a head of the Indian Government, and startled both official and public opinion. But the speech was more than generous, it was shrewd. It not merely restored the atmosphere of chivalrous battle which prevailed in the early days of civil disobedience, but was worded in a manner calculated to appeal to a man of Gandhi's temperament. By accepting Gandhi's premiss that the struggle should be without hate and pleading for a mutual recognition of selflessness Irwin's speech seemed to provide evidence of the 'change of heart' which the Congress leader had long been seeking. What exactly this new policy implied was disclosed two days later by the Prime Minister. In addition to full provincial autonomy the central executive would be made responsible to a federal legislature; certain safeguards would be provided only for a period of transition and in the interests of minorities. Pending final decision as to future constitutional changes, attempts would be made to introduce practicable reforms in the existing constitution.<sup>2</sup> To enable consultation of Indian opinion the Round Table Conference was adjourned.

Macdonald's statement was considered adequate by the

<sup>1</sup> *Indian Problems*, pp. 110-11.

<sup>2</sup> This offer of *interim* reforms came to nothing. Local governments, who were asked to examine the question, sought more details as to the Prime Minister's precise intention, and this information was never secured.

Liberal delegates in London, but the first reactions of Motilal Nehru and other Congressmen who were not in prison were unfavourable. They regarded it as too vague and general and falling far short of the terms stipulated in August 1930 to justify any change in their own policy. But Irwin realized that so long as Gandhi was in jail no friendly response was possible; for he was the 'super-president'<sup>1</sup> of the Congress whose voice was decisive, he alone was likely to appreciate the tone of the Viceroy's speech, and his continued incarceration challenged the sincerity of the Government. On 25 January, therefore, Gandhi and his chief colleagues were released unconditionally and the notification declaring the Congress Working Committee an unlawful body was withdrawn. 'I am content', announced the Viceroy, 'to trust those who will be affected by our decision to act in the same spirit as inspires it.' The Congress leaders now had an opportunity for full discussion of the Prime Minister's statement, but the release was so timed as to avoid the embarrassment to Government of their participation in the Independence Day demonstrations.<sup>2</sup>

The release of Gandhi and his colleagues was regarded by many as a surrender of vital prestige. British rule in India was based not on terror but on awe, and this act was bound to sap such a foundation. No empire could survive the unqualified pardon of defiant prisoners in jail for sedition. But the British Government were committed to a policy of dissolution, and no step was better calculated than this initiative of Irwin to promote this policy with grace and goodwill. The Round Table Conference had served at least to show that the representative figures in English public life were prepared to abide by the spirit of the 1917 Declaration. It was this general acceptance of the demand for full responsible government (whatever the differences of opinion as to the pace of implementation) which delighted Irwin, and, indeed, impressed even the Congress.<sup>3</sup> This display of united opinion

<sup>1</sup> The phrase is Jawaharlal Nehru's; *op. cit.*, p. 194.

<sup>2</sup> 26 January, the day on which the 'Independence pledge' was first taken in 1930, has been celebrated since as Independence Day.

<sup>3</sup> See report of interview with Irwin, 30 Jan. 1931: R. Bernays, *Naked Fakir* (London, 1931), pp. 51-52; and Presidential address of Vallabhbhai Patel at the Karachi session of the Congress, Mar. 1931.

had been followed by an official offer of responsibility with safeguards, and to enable its fair consideration a party in open revolt was rendered lawful and its leaders freed. This series of steps not merely gained for the British Government the approval of democratic forces throughout the world but placed the burden of the next move on the Congress.

Gandhi was aware of this. While to the unthinking his release carried with it a great accession of prestige, he himself knew that it vested him with great responsibility. On leaving Yervada jail he announced that he came out with an absolutely open mind, 'unfettered by enmity and unbiased in argument' and ready to study the whole situation from every viewpoint.<sup>1</sup> This non-committal attitude could surprise no one; a political movement is not swept away by sentiments of gratitude evoked by the release of its leaders. But clearly the Viceroy's policy, not of smothering the spirit of revolt but of ignoring it, compelled a reappraisal. Gandhi declared at Bombay that manufacture of salt and boycott of foreign cloth and liquor would continue, not as symbols of resistance to misrule but because they were desirable in themselves. When the Congress leaders assembled at Allahabad on 1 February they decided against any immediate cessation of civil disobedience; but this was clearly an *interim* measure. Private instructions were given that no new campaigns should be started.<sup>2</sup> For the whole basis of civil disobedience had shifted. The Government's policy of appeasement demanded a positive answer. 'I am hungering for peace', Gandhi had said at Bombay,<sup>3</sup> 'if it can be had with honour'; and there now seemed no obvious reason why it should not be. Gandhi, of course, was always a man of peace; but it must be added that Congress opinion in general was by no means reluctant to respond to Irwin's overtures. The sustaining impulse of civil disobedience, which had by now lasted ten months, was weakening and there was an increasing feeling of 'war-weariness' among the rank and file. Few even among the leaders shared Jawaharlal Nehru's zest for battle. The Government's resources for maintaining law and order had not been fully taxed and communalism, never dead, was

<sup>1</sup> *The Times*, 27 Jan. 1931.

<sup>2</sup> Sitaramayya, *op. cit.*, vol. i, p. 431.

<sup>3</sup> *The Times*, 28 Jan. 1931.

once more darkening the land. It seemed to many that if satisfactory terms could be secured from the Government, civil disobedience might well have served its purpose. Suffering, as Gandhi remarked later,<sup>1</sup> has its well-defined limits, and to prolong it when the limit was reached would be the height of folly.

The Working Committee, playing from a hand which held few of the trumps, was at the start deprived of the counsel of its most skilled negotiator. Motilal Nehru was fast sinking, and died on 6 February. His innate dignity had saved his spirit from the warping which results from subjection to Imperial rule; he had lost neither his self-respect nor his sense of proportion, and this healthiness of mind would have been of particular value at this stage, when the Congress was negotiating with the Government on what was virtually an equal footing. His death threw Gandhi on his own resources, for though the other leaders were assembled at Allahabad, there was none among them who exercised as yet a major influence over him. He opened the game by writing, as a 'faithful friend', to Irwin on 1 February drawing his attention to the alleged police 'excesses' during the civil disobedience movement. He cited four cases which were said to have occurred only the previous week and demanded the appointment of an impartial and representative committee to investigate all such charges. Otherwise he could not co-operate with a Government which was responsible for such atrocities as a *lathi* charge on a procession of women at Borsad; 'I cannot recall anything in modern history to parallel this official inhumanity against wholly defenceless and innocent women.'<sup>2</sup> This was clever tactics; no one could say that the Congress had failed to respond, but their response was such as to place the Government in a quandary. The demand not merely suggested that the Congress had not a monopoly of wrong-doing but was set forth as a test of the Government's sincerity. A rejection could easily be interpreted as an acceptance of guilt.

The Viceroy was disappointed. He had been prepared to avoid irritating conditions on the part of the Government

<sup>1</sup> Statement to the press, 5 Mar. 1931: *Young India* 12 Mar. 1931.

<sup>2</sup> Gandhi to Irwin, 1 Feb. 1931.



and to hurt Congress pride and sentiment as little as possible in the hope that they in turn would make no awkward demands.<sup>1</sup> As his institution of an inquiry into the Peshawar disturbances revealed, he had no unshakeable belief in the infallibility of the administration; but he knew that assent in the existing circumstances to a general investigation of the conduct of the police would destroy the morale of that force probably beyond recovery. What Irwin had in mind as the basis for a settlement was release of prisoners guilty of non-violent offences, withdrawal of all ordinances and notifications declaring certain associations unlawful, and a liberal attitude regarding reinstatement of officials who had resigned and restitution of forfeited lands where third party rights were not affected provided the Government were convinced of the genuine desire of the Congress to abandon civil disobedience and received a measure of assurance to this effect.<sup>2</sup> Though this was strongly and unanimously opposed by local governments, who preferred abandonment of civil disobedience followed by an amnesty to simultaneity of action,<sup>3</sup> Irwin never forsook his willingness to trust the Congress and adopt a generous attitude. He, therefore, without either justifying the conduct of the police or accusing the Congress of 'excesses', refused both to appoint a committee of inquiry as suggested by Gandhi and to demand a general inquiry into the harassment of the supporters of Government. Rather than indulge in such a general exploration of charges and counter-charges he appealed to Gandhi to forget the past and consider the future.<sup>4</sup>

Thus the Government, refusing to allow themselves to be placed on the defensive, sought a more constructive attitude on the part of the Congress. The Commerce Member, Sir George Rainy,<sup>5</sup> reiterated in the Legislative Assembly that civil disobedience had been a subversive movement in which non-violence had sometimes been more honoured in the

<sup>1</sup> Home Department's Express letter to all Local Governments No. D797/31.Pol. dated 28 Jan. 1931.

<sup>2</sup> Ibid.

<sup>3</sup> Replies of Local Governments, 30 Jan. to 7 Feb. 1931.

<sup>4</sup> G. Cunningham, Private Secretary to Viceroy, to Gandhi, 4 Feb. 1931.

<sup>5</sup> B. 1875; entered Indian Civil Service 1899; Chief Secretary to the Bihar and Orissa Government 1919-23; chairman of tariff board 1923-7; commerce member of Viceroy's council 1927-32; d. 1946.

breach than in the observance; the release of the leaders had shown that the Government were not afraid of risks, but it took two to achieve a satisfactory settlement, and there could be no general amnesty without guarantees from the other side.<sup>1</sup> Gandhi, however, was at first prepared for no further step. He claimed to have in his possession unimpeachable evidence of the barbaric methods of the police, and expressed his disappointment that Irwin was no more responsive than his predecessors. 'If the inquiry were granted I would see it as a ray of hope. At present I see none....' There was nothing in the Prime Minister's speech to justify termination of civil disobedience, and indeed it might be necessary to intensify it. 'We have only felt from afar the heat of the fire we must pass through. Let us be ready for the plunge.'<sup>2</sup> The stalemate was broken by the Liberals Sapru, Jayakar, and Sastri, and the Nawab of Bhopal,<sup>3</sup> who were in Allahabad and in touch with New Delhi. Irwin was persuaded, chiefly by Sastri, to see Gandhi if he sought an interview,<sup>4</sup> and Gandhi, on principle always willing to meet an opponent, agreed to this and wrote suggesting a frank talk. Irwin and Gandhi met on 16 February for four hours, and the Congress leader returned in high spirits. He had not expected this interview to be fruitful,<sup>5</sup> but in fact it at last convinced him that whatever the merits of the Viceroy's policy his motives were sincere,<sup>6</sup> and this to him was what mattered. They met again for three hours on the 18th and for half an hour on the 19th, and the public, while given no information as to the nature of the discussions, was assured that the negotiations had not broken down.<sup>7</sup> The conversations were restricted mostly to the conditions on which a truce could be reached, so that basic matters could be discussed in a more favourable atmosphere. Gandhi raised the question of the release of prisoners, and specially referred to the accused in the Meerut conspiracy

<sup>1</sup> 5 Feb. 1931. *Legislative Assembly Debates*, vol. i, p. 650.

<sup>2</sup> See facsimile reprint of letter to G. Deshpande, 10 Feb. 1931: Tendulkar, op. cit., vol. iii; and report of interview 12 Feb. 1931: Bernays, op. cit., pp. 95-98.

<sup>3</sup> B. 1894; succeeded his mother 1926; Chancellor of Chamber of Princes 1931-2 and 1944-7. In 1949 the Government of India took over the administration of his State.

<sup>4</sup> Information supplied by Lord Halifax; see also Bernays, op. cit., p. 102.

<sup>5</sup> Nehru, op. cit., p. 249.

<sup>6</sup> See Birla, op. cit., p. 230.

<sup>7</sup> Official communiqué 19 Feb., *The Times*, 20 Feb. 1931.

trial, those convicted under martial law in Sholapur, and the large number detained without trial in Bengal. The Viceroy said that no amnesty could include those convicted of violent crimes or incitement to such crimes, but local governments would be given discretion to release those convicted of offences which were only technically violent. Irwin had at first contemplated reference of doubtful cases to High Court judges, but in face of protests from local governments that this was an executive matter,<sup>1</sup> held in reserve a concession that cases which local governments might consider doubtful would be referred to such judicial tribunals. In the Meerut case the Viceroy pleaded inability to do anything more than expedite the trial; but as for the Sholapur prisoners he offered to direct the Bombay Government to review such sentences as might be regarded as unduly severe. Regarding *détenus*, however, Irwin refused to accept any connexion between terrorism and civil disobedience and reserved complete discretion to deal with those implicated in the former; the utmost he was prepared to concede was to transmit to local governments any specific information relating to particular prisoners which he might receive. Gandhi then brought forward the cases of those who had been penalized in other ways for supporting civil disobedience. Irwin offered to remit fines imposed for non-violent offences if they had not yet been realized, and, in cases of confiscated presses and securities and forfeited lands and property, to adopt a liberal attitude provided third party rights had not been created. Similarly, re-employment of officials who had resigned would be considered with sympathy if the vacancies had not been filled; but dismissed officials would be reinstated only in exceptional circumstances. Additional police imposed in connexion with civil disobedience would be withdrawn if the local government were satisfied that conditions in the area concerned had returned to normal; but if funds in excess of the actual expenditure had been collected the surplus would be returned. All ordinances and notifications declaring certain associations unlawful would be withdrawn, but the Government reserved the right to restore control of the press if there were any form of incitement to violence.

<sup>1</sup> Replies of local governments, 30 Jan. to 7 Feb. 1931.

Thereafter the conversations centred on the major issues of an inquiry into the conduct of the police, the no-tax campaign, salt manufacture, and boycott and picketing. On the police issue Irwin stood firm. They had merely carried out the policy laid down by the Government, and it was not an incident of peace that either side should reward its supporters with public humiliation. The Viceroy was willing to accept publicly that those who had brought forward charges of police 'excesses' had been motivated by good faith, but the only concession he could make was that if any specific complaints were brought to his notice he would ask local governments to satisfy themselves regarding the facts if these were not readily available, and, if necessary, he himself would look into their reports. Regarding failure to pay land revenue, the Government were ready to grant liberal remission in cases of economic distress but refused to overthrow third party rights created by sales of forfeited property or, where the price had been lower than the real value, to compensate the former owners. On the question of salt manufacture the Viceroy refused any concession; nor was he prepared to tolerate boycott and picketing. There was no objection to a temperance movement as a private venture, but the ban on the sale of foreign cloth should cease. Boycott as a political weapon was inconsistent with co-operation with the Government, and peaceful picketing was a contradiction in terms.<sup>1</sup>

On every issue, then, which seemed crucial to the Congress, the Viceroy was unyielding; and it is not surprising that Gandhi concluded that Irwin understood the Congress position but was not prepared to accept it.<sup>2</sup> He stated that he would never bargain or be satisfied with the second best;<sup>3</sup> and the Congress, assuming that the break had come, prepared to resume civil disobedience.<sup>4</sup> Only the Liberals were hopeful, for they felt that Gandhi, whatever his words, was in a conciliatory mood and had been impressed by Irwin's courtesy, frankness, and willingness to discuss every point

<sup>1</sup> Note of Emerson, 20 Feb. and telegram No. 508 to all local governments 21 Feb. 1931.

<sup>2</sup> Sitaramayya, *op. cit.*, vol. i, p. 432.

<sup>3</sup> Interview with Bernays, 21 Feb.: Bernays, *op. cit.*, pp. 150-3.

<sup>4</sup> Nehru, *op. cit.*, p. 257.

and accept as much of every demand as he could.<sup>1</sup> No longer need Gandhi think that a 'change of heart' was, as La Rochefoucauld said of ghosts and perfect love, something which people talk of but do not see.

On 27 February, at Irwin's request, the talks were resumed; but at first there was little progress. Most provincial governments were opposed even to specific references for facts regarding the conduct of the police.<sup>2</sup> Gandhi, on his part, insisted on the right to picket peacefully and sought some concession in the matter of salt manufacture. On the question of the quartering of additional police the Government wished to recover expenses; the Congress countered that where expenses had been recovered nothing need be returned but where money had not yet been collected nothing should be done.<sup>3</sup> The Bombay Government publicly denied that there would be any public inquiry,<sup>4</sup> while every member of the Working Committee urged Gandhi to end negotiations.<sup>5</sup> But Irwin and Gandhi, despite pressure from their camps, continued their discussions and became surprisingly accommodating. When Irwin stated frankly that he could not sanction Gandhi's demand for a police inquiry because he could not afford to have a police force weakened in morale in case civil disobedience were renewed, Gandhi abandoned his demand. He told the Viceroy that his attitude was similar to that of General Smuts<sup>6</sup> in South Africa; 'you do not deny that I have an equitable claim but you advance unanswerable reasons from the point of view of government why you cannot meet it'.<sup>7</sup> 'I succumbed', Gandhi later said to one of his lieutenants,<sup>8</sup> 'not to Lord Irwin but to the honesty in him; I went against the directive of the Working

<sup>1</sup> Sapru to Bernays, 23 Feb.: Bernays, op. cit., p. 156; Srinivasa Sastri, 23 Feb. Jagadisan, op. cit., p. 302.

<sup>2</sup> See replies of Bihar and Orissa, Bengal and the Punjab 23 to 25 Feb. 1931, and letter of Chief Secretary, Central Provinces, to Home Secretary, 23 Feb. Only the United Provinces Government were prepared to agree: telegram 547 dated 23 Feb.

<sup>3</sup> Telegram to all local governments 6318 dated 2 Mar. 1931.

<sup>4</sup> *The Times*, 28 Feb. 1931.

<sup>5</sup> Sitaramayya, op. cit., vol. i, p. 433.

<sup>6</sup> Jan Christian Smuts (1870-1950), Prime Minister of South Africa 1919-24 and 1939-48. In 1914, when Smuts was Home Minister, Gandhi, after a passive resistance campaign, reached an agreement with him on the rights of the Indian settlers.

<sup>7</sup> See the article by Lord Halifax in *Mahatma Gandhi: Essays and Reflections* (Memorial Edition, London, 1949), p. 396.

<sup>8</sup> Thomas, op. cit., p. 165.



Committee.' Irwin, on his part, conceded the right of peaceful picketing under certain conditions, accepted the Congress demand regarding additional police in face of the Bombay Government who desired full recovery in cases where such police had been imposed after outbreaks of violence,<sup>1</sup> and suggested that Gandhi discuss the salt question with Schuster, the Finance Member. A settlement was finally reached in the early hours of 4 March, and the Government of India instructed local governments to take preliminary steps for the release of prisoners.<sup>2</sup> The next day, however, the issue of the return of forfeited lands seemed likely to destroy the achievement; but a dissenting note drafted by Sapru dissolved the crisis and the terms of the settlement were published.

Under the settlement,<sup>3</sup> Gandhi agreed that civil disobedience would be effectively discontinued. This would apply to all activities in furtherance of civil disobedience, by whatever methods pursued, and in particular to the organized defiance of law, the movement for the non-payment of land revenue and other legal dues, the publication of news-sheets, and attempts to influence civil and military officials against the Government. As regards boycott, the grievance of the Government was stated in a sentence which, as its ambiguity later gave rise to differing interpretations, requires quotation in full:

the boycott of non-Indian goods (except of cloth which has been applied to all foreign cloth) has been directed during the civil disobedience movement chiefly, if not exclusively, against British goods, and in regard to these it has been admittedly employed in order to exert pressure for political ends.

It was now accepted that boycott of British commodities as a political weapon would be definitely discontinued and those who had given up the sale or purchase of British goods would be free to change their attitude if they so desired. But the Government approved of the encouragement of Indian industries as part of the economic and industrial movement

<sup>1</sup> Telegram from Bombay Special to Home Department S.D. 1141 dated 4 Mar. 1931.

<sup>2</sup> Telegram to all local governments 647S dated 4 Mar. 1931.

<sup>3</sup> For the full text see Appendix.

designed to improve the material condition of India, and would not discourage methods of propaganda, persuasion, or advertisement which did not interfere with the freedom of action of individuals or prejudice the maintenance of law and order. So for furthering the replacement of non-Indian by Indian goods or discouraging the consumption of intoxicating liquor and drugs, there could be picketing within the limits permitted by the ordinary law. Such picketing should be unaggressive and not involve coercion, intimidation, restraint, hostile demonstration, obstruction to the public, or any offence under the ordinary law.

On the discontinuance of civil disobedience the Government agreed to take reciprocal action. Ordinances promulgated in connexion with the movement (except that relating to terrorism) would be withdrawn; so too would notifications declaring associations unlawful, in all provinces except Burma where the crisis was of a different order. Those in jail for offences which did not involve violence (other than technical violence) or incitement to such violence would be released and pending prosecutions and proceedings for realization of securities for similar offences would be withdrawn. But soldiers and police convicted or under prosecution for disobedience of orders were excluded from this amnesty. Fines and securities which had not been realized would be remitted; and movable property which was not an illegal possession, seized in connexion with the movement, would be returned if still in the possession of the Government, unless, in the case of land revenue arrears, the collector had reason to believe that the defaulter would contumaciously refuse to pay within a reasonable period. Compensation would not be paid for deterioration or final disposal but any excess of sale proceeds over legal dues would be returned. Land and other immovable property which had been forfeited or attached and was still in the possession of the Government would be returned if the collector had no reason to expect contumacious refusal of dues; but where it had been sold to third parties the transaction, so far as the Government were concerned, was final. They could not accept Gandhi's contention that some at least of these sales had been unlawful and unjust; but besides the legal remedies

available in such cases, district officials would be directed to investigate specific complaints of illegal realization of dues and give redress if illegality were established. Where posts rendered vacant by resignations had been permanently filled the previous incumbents could not be reinstated, but other cases of resignation would be considered on their merits by local governments who would pursue a liberal policy regarding re-appointment of those who sought it. Local governments would withdraw wherever possible the additional police imposed in connexion with civil disobedience at the expense of the inhabitants; and any sum that had not yet been realized would be remitted and collection in excess of cost would be refunded. It was stated that Gandhi had drawn the Government's attention to specific allegations against the conduct of the police and desired a public inquiry; but as the Government saw great difficulty in this and felt it would inevitably lead to charges and counter-charges and so militate against the re-establishment of peace he had agreed not to press the matter.

On the question of salt, the Government felt unable to condone breaches of the existing law or, in the existing financial conditions, to modify the Salt Acts substantially. But to give relief to certain of the poorer classes they were prepared to extend their administrative provisions on lines already prevailing in certain places, and permit local residents in villages immediately adjoining areas where salt could be collected and made to do so for domestic consumption or sale within the villages but not for disposal to individuals living outside them.

As regards constitutional matters, the scope of future discussion would be with the object of further considering the scheme formulated at the Round Table Conference. Of this scheme, federation, Indian responsibility and reservations or safeguards in the interests of India for such matters as defence, external affairs, the position of minorities, financial credit, and the discharge of obligations were essential parts. Steps would be taken for the participation of Congress representatives in further discussions; but Government reserved the right, in case the Congress failed to give full effect to its obligations under this settlement, to act as might be

necessary for the protection of the public and individuals and the maintenance of law and order.

An analysis of the settlement makes clear that the balance of advantage lay with the Viceroy. He secured, almost without discussion, Gandhi's acceptance of the constitutional position, formulated by the British Government and supported by the Round Table Conference, of responsibility with safeguards. This sudden concession on Gandhi's part, which took his colleagues by surprise,<sup>1</sup> did not qualify the safeguards as transitional or provide for the right to secede; and Gandhi had retreated very much further than what but six months before, in his conversations with Sapru and Jayakar, he had defined as the utmost limits of concession. He argued that the proviso 'in the interests of India' protected the Congress position; but this proviso was not novel. What was new was Gandhi's belief that the phrase was no longer an empty one. He felt that Irwin, and the Government he represented, were now sincere and prepared to discuss these safeguards or 'adjustments' on equal terms with the Congress.

If we can reach an agreement on these lines, I shall be satisfied that I have got *purna swaraj* or *complete independence*, and India will have got it in what to me is the highest form in which it can be attained, namely in association with Great Britain.<sup>2</sup>

To enable discussions on this basis civil disobedience was not abandoned but 'discontinued', a word which suggested that the Congress had not surrendered its right to renew the movement if necessary, just as the Government reserved their authority to take such action as might be required if the settlement broke down. Both sides regarded the settlement not as a final peace but merely as a temporary cease-fire to enable an experiment in co-operation. In return for this discontinuance of defiance of the law, Irwin agreed to withdraw the extraordinary measures employed to counter it. Ordinances and notifications formulated for this purpose would be repealed, but there would be no relaxation in the administration of the ordinary law. As regards an inquiry into police

<sup>1</sup> Nehru, *op. cit.*, p. 257.

<sup>2</sup> See Irwin's letter to the King, 13 Mar. 1931: Nicolson, *op. cit.*, pp. 507-8.

'excesses', which Gandhi had for long regarded as the test issue, the Viceroy was unaccommodating. In the terms finally settled the Government did not agree even to what Irwin had earlier been prepared to grant, investigation of specific complaints or acceptance that the charges were bona fide. All that Gandhi secured was a clause which, by stating that any such inquiry would be inexpedient, suggested that all accusations of police 'excesses' were not baseless. The amnesty was limited to exclude the rebels in Burma, the Garhwali mutineers, the accused in the Lahore and Meerut conspiracy cases, and all others convicted or under prosecution for violent crimes, and there was no reference in the settlement to the Sholapur prisoners, though at one stage the Viceroy had offered to secure a review of such sentences as might seem harsh. Only in remitting all unrealized fines, irrespective of the nature of the offences which had been their cause, and in cancelling requisitions not yet realized in connexion with the additional police, did the Government ignore the fundamental distinction between violence and non-violence. The only concession which Gandhi gained regarding third party rights in immovable property sold for realizing arrears of land revenue was that these rights would not be disturbed 'so far as Government are concerned'—a phrase which suggested that the Government would not object if private parties sought to disturb them; and even while the settlement was being negotiated two leading citizens of Bombay, Sir Purshottamdas Thakurdas<sup>1</sup> and Sir Ibrahim Rahimtoola,<sup>2</sup> were seeking to persuade the new owners to restore these lands. The Government adopted the same attitude in the matter of appointments; but they were not prepared for reinstatement, even if it were possible, in the case of officials who had been dismissed. The Bombay Government agreed to treat the cases of 126 *patels* who had been formally dismissed after resignation on the same basis as resignations;<sup>3</sup> but those dismissed in other circumstances would have no redress.

<sup>1</sup> B. 1879; President of the East India Cotton Association till 1956.

<sup>2</sup> B. 1862; President of the Bombay Legislative Council 1923; President of the Legislative Assembly 1931-3; d. 1942.

<sup>3</sup> Telegram from Bombay Government 6890-F/28 dated 3 Mar. and letter 6890/28/4847/F dated 10 Mar. 1931.



The major tangible achievements of Gandhi were, besides the acceptance of his proposal regarding the withdrawal of 'punitive' police, the recognition of peaceful picketing and the permission to make and sell salt in certain circumstances. At first the Government had argued that there was no such thing as peaceful picketing, and the most that the Congress would be allowed to undertake was missionary activity among the consumers. But in the settlement it was conceded that all forms of picketing were not beyond the law, and persuasive methods for economic objectives were permitted. Similarly on the question of salt manufacture, the prime step in civil disobedience, the authorities had been anxious to resist compromise as it would have an adverse moral effect even if practicable.<sup>1</sup> Irwin, however, finally decided to authorize local residents to collect or manufacture salt for domestic consumption and sell it within their villages. The Secretary of State, while approving of the permission to collect or make salt, was reluctant to allow its sale;<sup>2</sup> but the Viceroy argued that this was no fresh retreat but a general extension of a practice already prevalent in some parts of India.<sup>3</sup> It is true that during the First World War the administrative authorities in Bengal had ignored petty manufacture of salt for domestic consumption;<sup>4</sup> and the salt procured from the sea is in its unprocessed stage so inedible that this permission could not make any serious inroad into the Government monopoly or result in a heavy loss of revenue. Yet undoubtedly a principle had been jettisoned.

It was, indeed, in prestige rather than in material concession that Gandhi gained heavily. The settlement was framed in the form of a treaty to end a state of war, and was replete with phrases—'it has been arranged that', 'it is agreed that'—which seemed to accept that Gandhi was dealing with the Government on almost an equal footing. Even the clause concerning constitutional questions, in which 'the scope of future discussion is stated, with the assent of His Majesty's

<sup>1</sup> Home Department telegram to Local Governments 513S dated 22 February 1931.

<sup>2</sup> Telegram of Secretary of State No. 801 dated 4 Mar. 1931.

<sup>3</sup> Telegram to Secretary of State No. 662S dated 5 Mar. 1931.

<sup>4</sup> Bengal Government's telegram to Finance Department 131X dated 13 Feb. 1931.

Government', implied that the British Government had merely been required to approve the terms which had been reached in consultation with Gandhi. To the latter, in fact, the most important feature of the settlement was the tacit recognition of the Congress as the intermediary between the people and the Government.<sup>1</sup> Irwin would never have accepted, and the Government of India later denied, that such recognition was implicit in the situation; but certainly it was acknowledged that there could be no constitutional progress without the co-operation of the Congress, and that therefore it was worthwhile to reach an understanding with a party that was openly in revolt. This decision was Irwin's own. The bulk of loyalist and official opinion in India believed that the Viceroy was mortgaging the future by setting up a defeated foe<sup>2</sup> and parleying with the irreconcilable enemy of British rule in India. They would not accept Gandhi as a representative and reliable figure, and thought his real motive was to secure a temporary lull when the Government's forces could be softened up in preparation for the final assault. The Home Government, too, which had for so long been content to uphold the Viceroy's initiative, expressed in private their dislike of the acceptance of the unique and semi-sovereign position of the Congress.<sup>3</sup>

But it was within his own party that Irwin's policy encountered the greatest resistance. He had throughout the support of Baldwin, but the Conservatives were growing restless under the latter's leadership of the Opposition, and there were frequent attempts in 1930 to dislodge him.<sup>4</sup> The discontent came to a head early in 1931 on the question of Irwin's policy in India. This was one of the rare occasions when Indian policy coloured British politics. A strong

<sup>1</sup> See his letter to Maxwell, Private Secretary to Governor of Bombay, 22 Apr. 1931; also statement to the press 8 Aug. 1931.

<sup>2</sup> 'Before the conclusion of the Settlement the Civil Disobedience movement was practically on its last legs, and would, it is fairly safe to say, have been finally extinct within a short period.' Officiating Chief Secretary Bengal to Home Secretary No. 1701 P.S. dated 31 Mar.

<sup>3</sup> Telegram of Secretary of State No. 801 dated 4 Mar. 1931.

<sup>4</sup> R. T. Mackenzie, *British Political Parties* (London, 1954), pp. 135 ff. Cf. Neville Chamberlain in his diary 26 July 1930: 'most reluctantly, I have come to the conclusion that, if S. B. would go, the whole party would heave a sigh of relief', K. Feiling, *Life of Neville Chamberlain* (London, 1946), p. 181.

section of Conservative opinion supported Winston Churchill in his belief that the British must make clear their intention to remain effective rulers of India for a very long and indefinite period;<sup>1</sup> and in protest against Baldwin's support of Irwin's failure to assert 'the majesty of Britain' Churchill resigned from the shadow Cabinet on 27 January 1931.<sup>2</sup> In February, when negotiations began in New Delhi, criticism of Irwin and Baldwin in England mounted, and on 1 March Baldwin decided to resign. Within twenty-four hours, however, the decision was reversed;<sup>3</sup> soon after there came news that Irwin had reached a settlement with Gandhi, and on 12 March Baldwin's speech in Parliament, 'full of breadth and vision and courage'<sup>4</sup> and justifying his instinctive support of Irwin confirmed his command of the party.

But if failure would have ruined Irwin and his supporters, success nearly ruined Gandhi. Two of his strongest critics, Vithalbhai Patel and Subhas Bose, were unable to voice their opinions; Patel had sailed to Europe in February, and the Bengal Government, despite the stated desire of the Government of India,<sup>5</sup> kept Bose in jail throughout the month of negotiations. But even the Working Committee, while it desired a provisional settlement, felt that Gandhi had surrendered too much and weakened the purpose of the Congress. Vallabhbhai Patel disliked the arrangement regarding lands forfeited or sold, Nehru resented the commitments on the constitutional issue, and all regarded the amnesty to prisoners as too narrow. The last was of immediate importance, and jeopardized the ratification of the settlement by the Congress at its plenary session at Karachi in the last week of March. Bhagat Singh and two of his fellow-accused in the Lahore Conspiracy Case had been sentenced to death and

<sup>1</sup> Speech at Manchester, 30 Jan.: *The Times*, 31 Jan. 1931.

<sup>2</sup> See Churchill, *The Second World War*, vol. 1 (London, 1948), p. 31. The far-reaching repercussions of this rupture do not now require elaboration. 'I have always thought that this was the most unfortunate event that occurred between the two wars,' Duff Cooper, *Old Men Forget* (London, 1953), p. 171.

<sup>3</sup> It is not clear whether it was Baldwin or his colleagues who decided he should continue as leader; for conflicting evidence see Templewood, *op. cit.*, p. 31 and T. Jones, *A Diary with Letters 1931-1950* (Oxford, 1954), p. 4.

<sup>4</sup> L. S. Amery, *My Political Life*, vol. iii (London, 1955), p. 99.

<sup>5</sup> See Government of India telegram to Bengal Government 270X dated 28 Jan. 1931.

their execution was due. The settlement specifically denied pardon to those convicted of violent crimes, but Gandhi had discussed the cases of Bhagat Singh and his companions with Irwin, and the Viceroy had promised serious consideration.<sup>1</sup> Public opinion, on the whole, favoured at least a commutation of the sentences as the offences had been inspired by patriotic motives. The general attitude was similar to that of the Duc de Broglie in France in 1815 at the time of the execution of Marshal Ney, that the crime, however culpable before God and man, was beyond human justice.<sup>2</sup> Gandhi had condemned the murder of the police officer regarded as responsible for Lajpat Rai's death,<sup>3</sup> but popular belief was that national honour had been vindicated. In the wake of the settlement hopes of a gesture by Irwin rose high, and Bhagat Singh, in his letter to the Punjab Government, put his case squarely in this context.

If the Government thought that a truce had been effected between itself and the people of India then it is legitimate that the soldiers of freedom should be set free. But if it thought that the state of war continued, then they may easily kill us.<sup>4</sup>

Petitions for mercy poured in<sup>5</sup> to strengthen Gandhi's appeal to the charity of 'a great Christian';<sup>6</sup> and had Irwin yielded he would have not only left India in a storm of popular acclaim but also lightened Gandhi's task at Karachi. But he was convinced that the judicial decision was fair and refused to alter it for political considerations.<sup>7</sup> It speaks for the integrity of character of both men that in these circumstances Irwin felt it would be dishonest to postpone the execution till the Congress session was over, and Gandhi agreed.<sup>8</sup> Bhagat

<sup>1</sup> Sitaramayya, op. cit., vol. i, p. 442.

<sup>2</sup> 'Il est d'ailleurs des événements qui, par leur nature et par leur portée, dépassent la justice humaine, tout en restant très coupables devant Dieu et devant les hommes.' Cited in H. Kurtz, *The Tragedy of Marshal Ney, History Today*, May 1954.

<sup>3</sup> *Young India*, 27 Dec. 1928.

<sup>4</sup> Sanyal, op. cit., p. 110.

<sup>5</sup> The petitioners ranged from avowed Congressmen to Eurasian mothers who blamed Gandhi for Bhagat Singh's crime.

<sup>6</sup> Tendulkar, op. cit., vol. iii, p. 92.

<sup>7</sup> See speech at the Chelmsford Club, Delhi, 25 Mar. 1931: *Indian Problems*, p. 299.

<sup>8</sup> Irwin's speech, *ibid*: Sitaramayya, op. cit., vol. i, p. 442; and Lord Halifax's article in *Mahatma Gandhi: Essays and Reflections*, pp. 397-8. Indeed some officials after discussing it with Gandhi concluded that he was not particularly concerned about the matter. This does not seem fair to Gandhi.

Singh was executed on the night of the 23rd. The shock shook India; and even members normally loyal to the Government walked out of the Assembly in mourning and protest. Gandhi termed it 'a first-class blunder' which showed that there had really been no 'change of heart' and endangered the settlement.<sup>1</sup> But his earlier warning that 'we must not put ourselves in the wrong by being angry' finally prevailed. The delegates to the Karachi session, coming together from jails in various parts of the country, met in a festival atmosphere,<sup>2</sup> and even the fate of Bhagat Singh could not do more than temporarily cloud this mood of sunshine. The result was the evaporation of all opposition to Gandhi. Even Nehru, whatever his private disappointment, in public accepted the settlement. Temperamentally averse to compromise, yet he was devoted to his leader; and the result was an angry loyalty. After passing a resolution applauding Bhagat Singh's motives, condemning his deed and deploring his execution, the Congress on 30 March unanimously approved the settlement.

While in theory the Congress was not bound by the settlement till it had been ratified at Karachi, Gandhi had lost no time in taking necessary action. 'Our word should be our bond, and it is a bond I implore you to respect.'<sup>3</sup> Within the Working Committee there was a difference of approach; Gandhi hoped that the provisional truce would become a permanent peace,<sup>4</sup> but Nehru and Patel assumed that there could be no peace until freedom had been attained.<sup>5</sup> This divergence led sometimes to directives which were not in harmony with each other. On 6 March, the day after the settlement had been signed, all Congress committees were ordered to discontinue defiance of the law and abide by the clauses of the pact;<sup>6</sup> four days later another circular instructed the committees to consolidate the position gained

<sup>1</sup> Speech at Karachi, *The Times*, 27 Mar. 1931.

<sup>2</sup> Report of the Intelligence Bureau, Home Department, on the Karachi Congress, 7 Apr. 1931.

<sup>3</sup> Address at public meeting, 8 Mar., reported in *The Times*, 9 Mar. 1931.

<sup>4</sup> Statement to Special Correspondent, *The Times*, 7 Mar. 1931.

<sup>5</sup> See Nehru's speech at Allahabad, *The Times* 10 Mar. 1931, and Patel's speech in Gujerat, *The Times*, 16 Apr. 1931.

<sup>6</sup> Telegram from Secretary All-India Congress Committee to all provincial Congress committees.



the previous year and strengthen it still further for the next struggle.<sup>1</sup> But despite this conflict of spirit, the Government of India were satisfied that the Working Committee was following Gandhi in making it a matter of prestige to give effect to the settlement;<sup>2</sup> and their response was no less immediate and eager. 'The spirit of that agreement Government will do everything to implement. Mr. Gandhi, I know, will do the same . . . .'<sup>3</sup> Without awaiting the actual withdrawal of civil disobedience they withdrew the relevant ordinances and notifications on 6 March and initiated the release of prisoners the next day. The North-West Frontier Government were informed that they could not plead special reasons for ignoring this commitment.<sup>4</sup> Of 18,800 prisoners who were in prison for civil disobedience on 5 March, 16,800 had been released by the 23rd.<sup>5</sup> Restrictions from leaving cantonment areas were withdrawn in the cases of all except those who had directly attempted to suborn military personnel,<sup>6</sup> and of the 194 subjects of Indian States who had been deported from British India 188 were allowed to return.<sup>7</sup>

But even with goodwill on both sides there were bound to be strains, and differing interpretations of some of the general formulae of the settlement. On the constitutional issue, Gandhi believed that the Congress had in no way been restricted from claiming Independence, and at the Karachi session the Congress repeated its demand. But it is doubtful if the Government had changed their view, expressed in August at the time of Sapru's negotiations with Gandhi, that this could not be treated as an open question. Nor was there a clear understanding of the nature of the safeguards. A speech of Lord Sankey<sup>8</sup> suggested that they were inviolable,<sup>9</sup>

<sup>1</sup> Circular of All-India Congress Committee, 10 Mar. 1931.

<sup>2</sup> Telegram to all Local Governments 659S dated 5 Mar. 1931.

<sup>3</sup> The Viceroy, 25 Mar. 1931: *Indian Problems*, p. 294.

<sup>4</sup> Foreign and Political Department telegram 672S dated 5 Mar. 1931.

<sup>5</sup> *The Times*, 24 Mar. 1931.

<sup>6</sup> Telegram from Secretary Army Department to General Officers Commanding and Local Governments.

<sup>7</sup> Home Secretary to Chief Secretary Bombay S. 574 Poll., 9 Mar. and Bombay Government's Express letter 8113 B, 27 Mar. 1931.

<sup>8</sup> John, first Viscount Sankey (1866-1948); K.C. 1909; Judge of the King's Bench Division 1914-28; Lord Chancellor 1929-35.

<sup>9</sup> 18 Mar. 1931. *Hansard*, 5th ser., vol. lxxx, col. 391.

while the Congress attitude was that they should be examined and granted only if reasonable. Other less remote clauses of the settlement were also clouded in ambiguity. Peaceful picketing was permitted but not defined. Gandhi accepted that picketing should now be confined to 'pure educative effort'<sup>1</sup> and aimed at converting the consumer rather than restraining the seller. But during the campaign picketing had not always been purely persuasive,<sup>2</sup> and it was difficult to say when it ceased to be such. For instance, did the listing of names of buyers and sellers of any commodity involve coercion? But these were minor aspects of the main problem of boycott. The Government believed that Gandhi had agreed to abandon the boycott of all British goods and interpreted the phrase in parentheses in clause 6—'except of cloth which has been applied to all foreign cloth'—merely to mean that in this respect the boycott had been extended to all foreign cloth for other than political ends. Gandhi, however, interpreted this clause as permitting the boycott of all foreign, including British, cloth, and limiting only the methods of boycott.<sup>3</sup> The Secretary of State, it may be added, took a similar view.<sup>4</sup> The day after the settlement Gandhi exhorted the people not to relax the boycott of foreign cloth, which was part of the constructive programme of the Congress, but to abandon aggressive methods.<sup>5</sup> The Government, with some reluctance, accepted this view, and to make the position clear a question was arranged in the Legislative Assembly and an answer given on these lines after Gandhi had approved.<sup>6</sup> The advocacy of the boycott of British goods as a political measure ceased<sup>7</sup> and the *swadeshi* (use of Indian goods) campaign was limited to propaganda and advertise-

<sup>1</sup> *Young India*, 12 Mar. 1931.

<sup>2</sup> 'A very prominent Congressman at Cawnpore told us that few Congressmen were in favour of really peaceful picketing.' *A History of the Hindu-Moslem Problem in India*. Being the Report of the Committee appointed by the Indian National Congress to inquire into the Cawnpore riots of March 1931. (Allahabad, 1933), pp. 201-2.

<sup>3</sup> See Gandhi's letter to Emerson transmitted by Bombay Government No. S.D. 1370 dated 18 Mar. 1931.

<sup>4</sup> Telegram 801 dated 4 Mar. 1931.

<sup>5</sup> Press Conference, 6 Mar. 1931.

<sup>6</sup> 25 Mar. 1931. *Legislative Assembly Debates*, vol. iii, p. 2639.

<sup>7</sup> See Lord Snell's speech in House of Lords, 29 Apr. 1931: *Hansard*, 5th ser., vol. lxxx, cols. 984-5.

ment. A list of mills manufacturing cloth with Indian yarn was issued and a company floated for re-exporting foreign cloth from India. A few instances of discrimination against British firms and goods were brought to Gandhi's notice,<sup>1</sup> and he took necessary action to prevent their recurrence. When Irwin left India on 16 April he was satisfied that Gandhi and the Congress were acting according to the spirit of the boycott clauses.<sup>2</sup> Existing stocks of British cloth, which in March were valued at over £1.5 million in Bengal alone,<sup>3</sup> were being cleared by the end of April.<sup>4</sup> If the textile exports of Lancashire remained at a low level, the reasons were other than Congress activity—the world depression, the competition of Japan, the higher tariffs, and the uncertainty of the market because no one knew how long the settlement would last.

But the settlement provided Gandhi also with causes for concern. The Government rejected his suggestion that offences involving incitement to violence should be placed beyond the amnesty only if they had in fact resulted in violence.<sup>5</sup> The settlement laid down that only permanent appointments to posts rendered vacant by resignations should not be disturbed; and both Irwin and Gandhi assumed that appointments were either permanent or purely temporary.<sup>6</sup> It was only when Gandhi toured Gujerat that he realized that *patels* had been appointed for terms of three, five, and ten years; and the Bombay Government insisted that a permanent appointment meant one not only for life but also for any fixed period.<sup>7</sup> They were not prepared to displace any one so appointed, and the Government of India would go no further than promise to remember the claims of the original holder when the post again fell vacant.<sup>8</sup> Many of these new

<sup>1</sup> See Emerson's notes of 7 Apr. and 18 May 1931 on his conversations with Gandhi.

<sup>2</sup> Speech at the British Indian Union, London, 15 May: *The Times*, 16 May 1931.

<sup>3</sup> Statement of the Acting Chairman of the British Cotton Spinners' and Manufacturers' Association, *The Times*, 19 Mar. 1931.

<sup>4</sup> Telegram of Viceroy (Home) to Secretary of State 1192S dated 27 Apr. 1931.

<sup>5</sup> Emerson's note on interview with Gandhi, 20 Mar. 1931.

<sup>6</sup> See Emerson's note of 18 May 1931 on conversations with Gandhi.

<sup>7</sup> Note of Commissioner Northern Division on conversation with Gandhi, 12 Apr. 1931.

<sup>8</sup> Emerson's note on his conversations with Gandhi, 13, 14, 15, and 16 May.

*patels*, as the Government themselves confessed,<sup>1</sup> could do no more than attempt to look the part; but maladministration, and not inefficiency alone, had to be established to secure their removal. Indeed in one case, when it was found that a *patel* had served a term in prison, the Government preferred formally to set aside this disqualification rather than to restore the former incumbent of the office.<sup>2</sup> Gandhi also found that on the plea of retrenchment many posts rendered vacant by resignation had been abolished.<sup>3</sup>

But even more serious grievances were created by the issue of restoration of lands. Gandhi complained of delay in return of confiscated lands<sup>4</sup> and was surprised to learn that under the Bombay Government rules land forfeited and not sold was regarded as Government waste and when sold the defaulter was not entitled to any excess.<sup>5</sup> He expected the Government to supply the Congress with details of sales to enable it to persuade purchasers to return the lands<sup>6</sup> but was satisfied with access to village records.<sup>7</sup> With this facility the Congress did its utmost to secure the peaceful restoration of all lands.

A cognate issue was that of payment of land revenue. Under the settlement the Congress agreed to abandon no-tax campaigns as part of civil disobedience; but Gandhi is said to have made it clear that the Congress could not advise the peasantry to pay beyond their means.<sup>8</sup> In Gujerat, though the harvest was bountiful, payment of revenue in certain *taluks* practically ceased in March; but when this was brought to Gandhi's notice<sup>9</sup> he personally intervened and by May the situation improved.<sup>10</sup> Less satisfactory was the situation in the United Provinces, especially as the fact that the landlords were Moslems and the tenants Hindus gave the failure to pay rents a communal tinge. The Congress asked tenants to organize themselves into groups and settle terms

<sup>1</sup> Bombay Government's telegram to Home Department, 10 July 1931.

<sup>2</sup> Letter of Maxwell, Private Secretary to Governor of Bombay, to Vallabhbhai Patel, 5 Oct. 1931.

<sup>3</sup> Note of Commissioner Northern Division, 12 Apr. 1931.

<sup>4</sup> Letter to Maxwell, Private Secretary to Governor of Bombay, 22 Apr. 1931.

<sup>5</sup> Collector of Kaira to Home Secretary, Bombay, 29 Apr. 1931.

<sup>6</sup> Note of Commissioner Northern Division, 12 Apr. 1931.

<sup>7</sup> Emerson's note of 18 May 1931.

<sup>8</sup> Nehru, *op. cit.*, p. 259.

<sup>9</sup> By Emerson on 6 Apr. 1931.

<sup>10</sup> Emerson's note of 18 May 1931.

with the landlords,<sup>1</sup> and the Government regarded this as tantamount to a continuance of the no-tax campaign and therefore a serious breach of the settlement.<sup>2</sup> While the Viceroy agreed that Gandhi had made clear that this agrarian question was distinct from the political struggle, he did not recollect any suggestion of Congress action.<sup>3</sup> The situation grew dangerous in Allahabad district and disquieting in two others,<sup>4</sup> and the Government protested that they would never have reached the settlement had they known that the Congress intended to continue this campaign.<sup>5</sup> The Congress suggested the establishment of a Congress committee in each *tahsil* to co-operate with officials in land revenue matters; but to this the Government refused to agree. They wanted the Congress not to assist but to abstain from interference, and informed Gandhi that unless the campaign were called off special measures and coercive processes would be considered.<sup>6</sup> It was only after Hailey returned from leave and resumed charge as Governor that the Government ceased to adopt a stand of blind prestige and took care first to see that everything was done to meet the just claims of the tenants.<sup>7</sup>

It will be seen, then, that the settlement was not conclusive even with regard to its limited objectives; and beyond lay many fundamental issues. This is not surprising. Two men in a fortnight cannot settle the relations between peoples. And yet the settlement has in British Indian history an importance far transcending that of its several items. It brought back to the forefront of the Indian effort for freedom the spirit of co-operation between the rulers and the ruled. There is no doubt that Gandhi trusted Irwin, and in turn strove to make the settlement a success. He mitigated the rigours of the boycott, agreed not to press the question of restoration of police and military pensions,<sup>8</sup> prevented by personal intervention a breakdown in Gujerat, and agreed to discuss the

<sup>1</sup> Note of Nehru forwarded by Gandhi to the Government of India.

<sup>2</sup> Emerson to Gandhi, 6 Apr. 1931.

<sup>3</sup> Emerson to Gandhi, 31 Mar. 1931.

<sup>4</sup> Emerson's note, 3 Apr. 1931.

<sup>5</sup> Emerson's note on discussion with Nehru, 19 and 20 July 1931.

<sup>6</sup> Order in Council, 6 Apr. 1931; Emerson's conversation with Gandhi, 6 Apr. 1931.

<sup>7</sup> Hailey to Emerson, 27 Apr. 1931.

<sup>8</sup> Emerson's conversation with Gandhi, 6 Apr. 1931.



agrarian crisis in the United Provinces with the Governor. If it could be avoided, he did not want another fight and this fact and his sense of obligation to honour promises given to Irwin were factors of very great importance in the situation.<sup>1</sup> When Irwin left India the Government of India had no reason to regret his policy. Sales of British goods increased, land revenue collections were higher, and terrorism, though perhaps beneath the surface, rarely showed its ugly face. The Congress was committed to co-operation and Gandhi planned to attend the second session of the Round Table Conference. The Government of India, while believing it to be still premature, at the end of April, to judge the results of the settlement, were convinced that there was a widespread desire for peace and that there would be general regret if there were a rupture. Such a rupture there was to be; and the new Viceroy, Lord Willingdon,<sup>2</sup> does not seem to have shared the general regret.<sup>3</sup> But the fresh spirals of civil disobedience and ordinances could not smother the tradition which Irwin had revived and which finally prevailed in 1947. 'In time to come', wrote *The Statesman* on the eve of the settlement,<sup>4</sup> 'this will be regarded as one of the greatest happenings of the second quarter of the twentieth century, and possibly as decisive for the world as November 11, 1918'. Perspective provides no reason for amending this verdict, at least as regards Irwin's achievement.

<sup>1</sup> Emerson's note of 18 May 1931.

<sup>2</sup> B. 1866; Governor of Bombay 1913-19 and of Madras 1919-24; Governor-General of Canada 1926-31; Viceroy of India 1931-6; d. 1941.

<sup>3</sup> 'Eighteen months ago things were in a mess. I will guarantee that conditions are today a hundred per cent. better than they were then and I go further and guarantee that the people are a hundred per cent. happier—now that they can be sure of protection and liberty to go about their business as they wish.' Interview with the India League delegation, 13 Oct. 1932, *Condition of India* (London, 1933), p. 467.

<sup>4</sup> 4 Mar. 1931.

## VII

### THE INDIAN STATES

THERE was, however, one aspect of the Indian problem which was unique and the Viceroy's special responsibility. Scattered across the country were the 662 Princely States, some like Hyderabad as large as provinces but many of the size of private estates. Their rulers, sustained in their internal authority by British power,<sup>1</sup> were for the most part uninhibited by self-discipline. The Holkar of Indore, who had to be deposed in 1926 for complicity in a murder case, was perhaps an extreme instance; but two characteristic examples, of varying kind but similar consequence to the subjects, were the Maharajas of Dewas (senior) and Alwar. Of the former,<sup>2</sup> Mr. E. M. Forster has recently written in nimble prose<sup>3</sup> and sought to enlist our sympathy on his side in the catastrophe which finally engulfed him; but what cannot be hidden is the misgovernance, corruption, and obscurantism. The ruler of Alwar,<sup>4</sup> however, lacked even the personal graces which wealth and pedigree often breed, and was notorious throughout India for his coarse cruelty and megalomania. His jubilee celebrations in 1929 were marked with vulgar ostentation; 'I think he really felt at that moment that he was a reincarnation of the god Krishna.'<sup>5</sup>

It was therefore the acknowledged, though often unwritten, task of the Crown, as the Paramount Power, to curb the autocracy of these rulers and prevent unlimited repression. Whatever the terms of the treaties drafted centuries earlier, in the changing circumstances the British Government could not

<sup>1</sup> 'Nowhere in the world today has autocracy so sheltered a position as in the Indian states under the suzerainty of the Crown.' Sir Harcourt Butler, *India Insistent* (London, 1931), p. 58.

<sup>2</sup> B. 1888; succeeded 1899; assumed ruling powers 1908; accused by his son of attempt to murder 1927; intervention by Government of India because of State's bankruptcy and his flight to the French settlement of Pondicherry 1933; d. 1937.

<sup>3</sup> *The Hill of Devi* (London, 1953).

<sup>4</sup> B. 1882; succeeded his father 1892; d. 1937.

<sup>5</sup> Lord Birdwood, *Khaki and Gown* (London, 1941), p. 395.

ignore the rights of the people. Paramountcy, though in theory exercised by the Home Government through the Governor-General in Council, was in practice the Viceroy's personal responsibility; he disposed of all but the most important cases without reference to his Council, and the Princes preferred and were more amenable to the authority of the King's representative. There was no Political Member of Council and the Viceroy was in direct charge of the Political Department, whose officers, the Residents and Agents, were posted in the various States. Mr. Forster has described them as on the whole 'an unattractive body of men' lacking courtesy, kindness, and sympathy. But if their manners were often clumsy it was mainly because their task was a thankless one. Paramountcy lacked precise formulation; and while few questioned the Crown's ultimate responsibility for good government there was always ground for debate in almost every particular case as to whether intervention was justified. The main grievance of the autocratic Princes was the autocracy of the Political Department; and if most of them had outgrown the age of seeking to murder the representatives of the Paramount Power, they did all they could to prevent the Residents from fulfilling their duties adequately. Any interest shown by these officers of the Crown in the administration of the States was regarded as ill mannered and itself a form of intervention. This shyness is perhaps not surprising, for even the seemingly most enlightened Princes had much to conceal. Thus the ruler of Limbdi gained much merit for having spent Rs.150,000 on education in 1926-7 till it was disclosed that the whole expenditure had been incurred on behalf of the Crown Prince; and the budget of Bikaner for 1929-30 required close analysis for its bias to be appreciated.<sup>1</sup>

In no field of activity was Reading happier and more at ease than in the conduct of relations with the Princes. There was no stouter protagonist of the rights and responsibilities of the Paramount Power, and the famous Berar letter to the

<sup>1</sup> Civil list Rs.1,255,000; Prince's wedding Rs.825,000; roads and buildings Rs.618,384; Palace repairs Rs.426,614; royal family Rs.224,865; education Rs.222,979; medical services Rs.188,138; public works Rs.30,761; and sanitation Rs.5,729.

Nizam of Hyderabad, the premier Prince of India, marks the peak of the Crown's formal assertion of authority.

The sovereignty of the British Crown is supreme in India, and therefore no Ruler of an Indian State can justifiably claim to negotiate with the British Government on an equal footing. Its supremacy is not based only upon treaties and engagements, but exists independently of them.<sup>1</sup>

But by nature and training Reading was adapted to the exercise of a power which was wide yet undefined. He was more deft in dealing with problems as they arose than in enforcing general principles, and his method of hearing both sides of a case in the manner of a lawyer in chambers and then giving a decision<sup>2</sup> was more suited to the semi-personal problems of the States than to the political issues of British India. Irwin's approach was very different, less formal and more serious-minded. In his first address to the Chamber of Princes, a body established in 1921 to enable the rulers to vent their views, he suggested that the Standing Committee be authorized to hold informal talks with the Viceroy and his advisers whenever necessary.<sup>3</sup> But on the other hand he discouraged the Princes from undue familiarity and made it clear that he regarded himself as bound by the same rules as his officers in the matter of presents.<sup>4</sup> And he early and unerringly probed the centre of the problem of the States by circulating among the Princes a note on the principles which should guide their administration.<sup>5</sup> Though Irwin emphasized that this general treatise on good government<sup>6</sup> was only an expression of his personal views and in no way official, yet it was a clear definition of the main objective of paramountcy. The Viceroy pointed out that all governments, even if not responsible to electorates, had an inherent responsibility and if they ignored it they would forfeit all

<sup>1</sup> For the full text of this letter written on 27 Mar. 1926, see *Report of the Indian States Committee 1928-29*, Appendix II.

<sup>2</sup> See Lord Curzon's report of a conversation with the Maharaja of Alwar, 8 Nov. 1923: Lady Curzon, *Reminiscences* (London, 1955), p. 182.

<sup>3</sup> 22 Nov. 1926: *Indian Problems*, p. 140.

<sup>4</sup> When the Maharaja of Alwar, who was the only Prince to cause embarrassment in this matter, disclosed that Reading had accepted presents, Irwin refused to regard this as a decisive precedent: 'each individual Viceroy must be the judge of his own conscience in such cases'.

<sup>5</sup> Note of 14 June 1927.

<sup>6</sup> Letter to Maharaja of Jind, 9 Oct. 1927.

moral claims to obedience. So the efforts of rulers, whether they be one or many, should be directed to the establishment of the reign of law. Every government should have some machinery to inform itself of the needs and desires of its subjects; and the proportion of revenue allotted to the ruler's personal expenditure should be as moderate as would suffice to maintain his position and dignity.

The Viceroy's note of blunt good sense, elaborating the most elementary principles of civilized administration, is of interest as revealing the level at which most Princes were wont to exercise their authority. But these men were more concerned with their rights than with their responsibilities. At the first informal conference convened by the Viceroy early in 1927 the Maharaja of Bikaner<sup>1</sup> demanded the appointment of a committee to examine the Crown's relations with the Indian States. For there was a growing feeling that the Paramount Power, placed in a situation where the only restraint on it was its own moderation, had been usurping control. Helped by eminent counsel from England, the Princes evolved a legalist theory of paramountcy. According to this theory, when the Indian States first came into contact with the British Government they were fully independent sovereign states and the treaties and engagements signed by them were of an international character. But from the moment these treaties came into force international law ceased to apply; the relationship had become contractual and one party could not modify it without the other's full and willing acquiescence. Though these treaties varied in detail, they all were based on the principle that in return for loyalty the British would protect the Princes from rebellion and abstain from interference in their internal affairs. So paramountcy was a limited concept, created by the cession to the Crown by the States of certain sovereign rights. The residuary jurisdiction remained with the Princes; they were sovereign rulers except to the extent that they had expressly surrendered any portion of their sovereignty, and any unilateral action of the Paramount Power which tended further to reduce this sovereignty by usage or pressure was *ultra vires*. In

<sup>1</sup> B. 1880; succeeded 1887; assumed ruling powers 1898; Chancellor of the Chamber of Princes 1921-6; d. 1943.



view of the Crown's responsibility to protect the Princes, the latter were under a reciprocal obligation not to conduct their administration in a way calculated to disturb the public tranquillity; but so long as this was not the case, the Paramount Power had no right whatever to censure their public actions on any grounds of morality, decency or humanity.<sup>1</sup>

This theory, however, was unfounded on fact and unworkable in practice. Almost all the States, at the time they entered into treaty relations, had lacked *de jure* independence. But more important than the lack, at the origin, of international status were the changes compelled by time. The treaties signed in a different age could hardly be enforced literally, and only the continuous development of usage enabled their spirit to survive. Paramountcy was the essential fact, but the relations in which it manifested itself were necessarily subject to variation. With society ever changing shape, there could be no rigid definition of national requirements in economics and defence; and what seemed liberal rule to one generation would appear blind reaction justifying revolt to the next. Yet in response to the demand of the Princes the Government appointed in December 1927 a committee under the presidency of Sir Harcourt Butler,<sup>2</sup> a civilian of great experience, to report on the relationship between the Paramount Power and the States and to inquire into and make recommendations regarding the financial and economic relations between British India and the States. The Butler Committee, after hearing evidence, submitted in February 1929 a report<sup>3</sup> which summarily dismissed the static theory of paramountcy. The Crown's relations with the States were not circumscribed by contract but were a living process moulded by circumstances and policy. Neither a tidy formulation of the principle of paramountcy nor a comprehensive codification of its practice was possible.

<sup>1</sup> See the joint opinion of Sir Leslie Scott and four other lawyers, *Report of the Indian States Committee*, Appendix III, and *The British Crown and the Indian States* (London, 1929).

<sup>2</sup> B. 1869; entered Indian civil service 1890; Foreign Secretary to Government of India 1908-10; member of Viceroy's council 1910-15; Governor of the United Provinces 1921-3; Governor of Burma 1923-7; Chairman of the Indian States Committee 1928; d. 1938.

<sup>3</sup> *Report of the Indian States Committee* 1928-29.

'Paramountcy', said the Committee in a famous sentence, 'must remain paramount.' But this need not alarm the States, for on this alone could they rely for their preservation.

The Butler Committee, however, recorded its strong opinion on the side of the Princes that no relationship with a British Indian government responsible to an Indian legislature should be created for them without their own agreement. While closer union, particularly in economic matters, was possible, all schemes of a loose federal character seemed premature. The committee also expressed itself against the appointment of a separate Political Member of Council and favoured the formal transfer of the States portfolio from the Governor-General in Council to the person of the Viceroy. But these concessions to Princely opinion seemed minor in comparison with the general framework of paramountcy upheld by the committee and its attitude in the matter of constitutional reform. The demand for such development was clearly one of the shifting necessities with which the Princes would have to keep in step, and it was beyond argument that failure to do so would justify intervention. In the opinion of the Government of India, if the demand were so widespread and popular that a refusal to grant some concession would amount to repression of a reasonable and almost universal demand, it would then be their duty to advise concession of as much as might seem wise, consistent with the maintenance of the Prince in his position as head of the State administration.<sup>1</sup> But the Butler Committee took a more extreme view:

If they [attempts to eliminate the Prince and substitute another form of government] were due, not to misgovernment, but to a widespread popular demand for change, the Paramount Power would be bound to maintain the rights, privileges and dignity of the Prince; but it would also be bound to suggest such measures as would satisfy this demand without eliminating the Prince.<sup>2</sup>

In other words, it would seem sufficient if the demand were widespread; the Government need not concern themselves with its merit.

The Butler Committee Report was a grievous disappointment to the Princes. Paramountcy had not merely been

<sup>1</sup> See Political Secretary's memorandum to the Butler Committee.

<sup>2</sup> Paragraph 50.

reasserted emphatically but pushed beyond the limits hitherto accepted. The body to which the Princes had looked for succour seemed to place a premium on agitation. At the session of the Chamber of Princes in February 1930 there was bitter criticism of the Butler Report and the whole system of intervention of which the report was a justification. Clearly the feeling was general; till now the rulers of Hyderabad, Mysore, Travancore, and Indore had refused to associate themselves with the Chamber of Princes on the ground that this would damage their sovereign rights, but now the Nizam<sup>1</sup> sanctioned substantial monetary assistance to the Chamber, and the rulers of Hyderabad and Mysore were for the first time represented by senior officials. The Maharaja of Bikaner complained that there were two sovereigns in each State, the Prince and the Political Agent, and there was a unanimous demand for a definition, after joint consultation between nominees of the Government and the Chamber, of the basis of intervention in the internal affairs of States. Irwin, in a mollifying speech, pointed out that relations between Princes and Residents had been in the main one of mutual respect and friendship, that there was no part of the Viceroy's duty to which he devoted more anxious thought than the cases demanding intervention, and that such intervention consisted normally in a mere expression of views at a personal interview with the Prince. His audience, however, far from being soothed, now pressed that the Princes be associated with the exercise of paramountcy in this form. Even three years earlier, in 1927, the Maharaja of Kashmir<sup>2</sup> had revived a proposal, considered and abandoned at the time the Chamber of Princes was established, that the Standing Committee should be empowered to deal with cases if both the Viceroy and the concerned State gave their consent. Irwin then had disallowed the resolution as unconstitutional and undesirable, though in a private letter to its sponsor he did not rule out the possibility of the Viceroy informally availing himself of the good offices of Princes in such cases.<sup>3</sup> The chief drawback of this proposal was that it would weaken

<sup>1</sup> B. 1886; succeeded 1911; *rajpramukh* (governor) of Hyderabad 1930-6.

<sup>2</sup> B. 1895; succeeded 1925; handed over the administration to his son 1949.

<sup>3</sup> Letter to Maharaja of Kashmir, 14 July 1927.

the local influence of the Political Officer; and it was not unfair to suggest that some Princes might be willing to receive gratification from the ruler concerned in return for their support. So now when the Maharaja of Bikaner raised this issue again Irwin, though he allowed the resolution to be moved and passed, made it clear that however useful consultation might be on certain occasions the Government were bound neither to seek nor to abide by it.<sup>1</sup>

This seemingly unsympathetic attitude of the Crown's representative left the Princes sore and bewildered, and it was expected that their mood of acute irritation would be reflected at the Round Table Conference. Irwin indeed thought it possible that they might use this conference as a forum to set forth their own notions of the rights and duties of the Paramount Power.<sup>2</sup> He therefore convened in July 1930 an informal meeting of the delegates from the States to the conference and, while affirming that the Government could not accept any rigid definition of paramountcy, secured their consent to the restriction of discussions at the conference to the relations of the States with British India.<sup>3</sup> In this matter the Princes had at first been opposed to any organic union but had favoured some form of joint deliberations in matters of all-India concern. When the Viceroy pointed out that if the States sought representation in Indian legislatures British India would claim a reciprocal right of intervention in the States, they fell back on a project of economic union.<sup>4</sup> The suggestion of the Nehru Report that any Dominion Government should inherit paramountcy<sup>5</sup> startled them, and they announced, in what Irwin said was perhaps the most important resolution they had ever discussed, that they would assent to no association except 'upon the initial basis of the British connexion'.<sup>6</sup> But after the Butler Report any form of federation which would not affect internal administration seemed attractive as a refuge from the dictation of the Political

<sup>1</sup> See proceedings in the Chamber of Princes, Feb. 1930: *The Indian Annual Register*, 1930, vol. i, pp. 495 ff.

<sup>2</sup> Telegram to Secretary of State P. No. 822S dated 14 Mar. 1930.

<sup>3</sup> Proceedings of the informal conference, 15 July 1930.

<sup>4</sup> Proceedings of informal conference, May 1927.

<sup>5</sup> Page 72.

<sup>6</sup> Proceedings of the Chamber of Princes, 13 Feb. 1929.



Department.<sup>1</sup> Even the Nizam was willing to accept it with due safeguards and a right of secession under certain circumstances.<sup>2</sup> This enthusiasm was damped, however, by civil disobedience and the publication of the Simon Commission Report. In October 1929 Simon, in correspondence which was published on the eve of the Viceroy's statement, secured the British Government's consent to the commission's consideration of British India's relations with the States; for 'at certain points an inevitable contact takes place'. But in its recommendations the commission emphasized the difficulties of a federal solution and desired no more than that the new constitution should provide 'an open door whereby, when it seems good to them, the Ruling Princes may enter on just and reasonable terms'. The only immediate step should be the establishment of a Council for Greater India, a joint standing body of about thirty members, for consultation on specified matters of common concern.<sup>3</sup>

The result was that the Princes again began to shy away from any immediate commitment to enter into close association with British India,<sup>4</sup> and the Government of India believed that all that would be possible at once was a measure of confederation in the economic and financial spheres.<sup>5</sup> The representatives of the Princes at the conference, however, lacked clear and strong views and fell out among themselves on matters of precedence and protocol;<sup>6</sup> and on 17 November 1930, when Sapru invited the Princes to join an All-India federation, the Maharaja of Bikaner accepted the offer on their behalf.

This seemingly great leap forward in India's constitutional progress surprised everyone. Its causes were a tangle; annoyance with the Paramount Power and confused thinking among the Princes, and assiduous effort on the part of Sapru, in whose long career this was perhaps the greatest

<sup>1</sup> See note of C. C. Watson, Political Secretary, 28 Mar. 1930.

<sup>2</sup> Telegram of Resident Hyderabad to Political Department 599 R dated 9 July 1930.

<sup>3</sup> *Report of the Indian Statutory Commission*, vol. ii, pt. i, chap. iii and iv and pt. vii.

<sup>4</sup> Telegram to the Nizam from the Hyderabad delegation to the informal conference at Simla.

<sup>5</sup> Dispatch 7 of 1930 dated 13 Sept. 1930.

<sup>6</sup> See note of Political Department, 31 Oct. 1930 and Viceroy's correspondence with the Maharajas of Patiala and Bikaner, Nov. 1930.



achievement, all played a part. But it was doubtful whether the Maharaja of Bikaner represented the consensus of Princely opinion, and it was certain that he meant little by his assent to the principle of federation. As was clear when the discussion came down to details, he and his group expected British India to be satisfied with their mere acceptance of the ideal. 'The Princes,' said the Maharaja of Bikaner,<sup>1</sup> 'do not want to be levelled down from their present position of internal sovereignty.' In fact they envisaged even less unity than existed at the time, for the Political Department never hesitated to utilize its authority to protect Indian interests. Thus the Great Indian Peninsular Railway had been allowed to run through Hyderabad State 'simply because the Crown, as the Paramount Power, said that in the interests of India they required that railway to go through Hyderabad territory'.<sup>2</sup> In the federation as proposed by the Princes, however, they would decide what powers should be delegated to the Central Government, and laws enacted by the federal legislature on federal subjects would have to be passed again by the legislatures of the States before they became operative in these areas.<sup>3</sup>

The gesture of the Princes at the Round Table Conference, therefore, was intended to be a rebuff to the Paramount Power rather than a real constitutional advance, and the acceptance was soon so watered down as to be worth little. Their real concern was still to lighten the pressure of paramountcy, and on this they found the British Government even less yielding than the Government of India. Irwin was prepared to discuss in general with them the occasions when intervention might be required and to promise that the Crown's ultimate discretionary powers in this matter would not be invoked without real necessity; but the Secretary of State thought it would not be possible to lay down any exhaustive rules. Irwin was also willing to utilize in cases of intervention the good offices of Princes on the initiative of the Viceroy or the Political Officer concerned, with a specified

<sup>1</sup> 1 Dec. 1930, *Proceedings of the Indian Round Table Conference Federal Structure Sub-Committee*, vol. i, p. 12.

<sup>2</sup> Sir Akbar Hydari, representative of Hyderabad: *ibid.*, p. 19.

<sup>3</sup> Speech of the Maharaja of Bikaner, 9 Dec. 1930: *ibid.*, p. 193.

period at the end of which the mediating ruler should inform the Government of the results of his mission; but the Home Government were reluctant and suggested that the explicit consent of the delinquent ruler should also be obtained. Even then it should be placed beyond doubt that the Paramount Power could not to any extent share its position and responsibilities with Princes.<sup>1</sup>

So Irwin's viceroyalty saw no fundamental change in relations with the Indian States. The acceptance of federation, the only striking event of the first Round Table Conference, neither hastened nor diverted the flow of Indian political development. Paramountcy had not been curtailed or even cushioned, but its plenitude publicly asserted. And in his last address to the Chamber of Princes Irwin returned to the subject which had first engaged his attention. Recent events had shown that what was nearest reality was the need for cleansed and efficient administration. Though an official inquiry had exonerated the Maharaja of Patiala,<sup>2</sup> at the time Chancellor of the Chamber of Princes, the country was astir with accounts of misrule in that State.<sup>3</sup>

There must be [said the Viceroy]<sup>4</sup> a reign of law based either expressly or tacitly on the broad goodwill of the community: individual liberty and rights must be protected, and the equality of all members of the State before the law be recognised. To secure this an efficiently organised police force must be maintained, and a strong and competent judiciary, secure from arbitrary interference by the executive and irremovable so long as they do their duty.

This was the heart of the problem of the Indian States; five years had brought no substantial improvement, and till that occurred paramountcy was essential and federation remote.

<sup>1</sup> Government of India Dispatch, 13 Sept. 1930, and Secretary of State's telegram No. 921 dated 13 Mar. 1931.

<sup>2</sup> B. 1891; succeeded his father 1900; Chancellor of the Chamber of Princes 1926-30, 1933-5, and 1937; d. 1938.

<sup>3</sup> See *The Indictment of Patiala* (Report of the Enquiry Committee set up by Indian States People's Conference), Feb. 1930, and Official Enquiry Report, Aug. 1930: *The Indian Annual Register*, 1930, vol. i, pp. 506 ff.

<sup>4</sup> Mar. 1931: *Indian Problems*, p. 173.

## VIII

### CONCLUSION

So Irwin turned homewards in April 1931. He was aware of the surge of reproach that awaited him, but was fortified by the consciousness of a personal accomplishment that had seemed even a few weeks before beyond the bounds of hope. Perhaps the most striking aspect of this daring viceroyalty is the individual achievement. In the age of the telegraph and air transport—in 1927 the Secretary of State for Air, Sir Samuel Hoare, travelled by air to India—proconsuls, like ambassadors, tend to be robbed of self-reliance and independence of action and to transmit rather than to initiate policy. Yet in this respect Irwin was in the great line of Wellesley, Dalhousie, and Curzon. The viceroyalty was very much his own. The powers of the Home Government, exercised through the Secretary of State, were wide, and Birkenhead's views on Indian affairs were extreme and firmly held. But he resigned office in October 1928, and even before that seems to have taken little interest.<sup>1</sup> The Labour Government too, hesitant and inexperienced, realized that a Conservative Viceroy, sure of his standing with his party leaders, could secure acceptance as a national policy of what they themselves could never have imposed on him; and they were almost eager to place the responsibility of ultimate decision with the Viceroy. In India, though formally the executive was the Governor-General in Council, in fact the Governor-General was the mainspring of Government. The Council, a body of senior civilians and independent politicians, could hope for little more than influence with the Viceroy; and its members seem never to have contemplated resignation when their advice was set aside. Irwin was fortunate in that the Finance Members, Sir Basil Blackett<sup>2</sup> and Sir George Schuster, were skilful technicians who

<sup>1</sup> Amery, *op. cit.*, vol. ii (London, 1953), p. 298.

<sup>2</sup> B. 1882; secretary to the Royal Commission on Indian Finance and Currency 1913-24; finance member of Viceroy's council 1922-7; d. 1935.

required little supervision; and the Commanders-in-Chief, Birdwood and Chetwode, were officers with long experience and wise understanding of the Indian Army. But on the political and constitutional issues, which dominated British Indian history in the twentieth century, almost every decision was taken by Irwin. Sir Fazl-i Husain was the ablest Indian who served on Irwin's Council, and he had an intimate knowledge of the Punjab and the North-West Frontier; but martial law was promulgated in the Frontier Province despite his counsel. Every viceregal speech and statement of policy of these years bears the imprint of Irwin's mind and personality; and almost every answer of significance given by Government spokesmen in the Indian legislature was approved, often after amendment, by him.

The personal formulation of policy, however, required to be supported by smooth implementation. At Delhi Irwin had a few official lieutenants of true quality. Of these the most outstanding was Emerson,<sup>1</sup> Home Secretary during the crucial period. While most members of the Civil Service, trained in method but ignorant of objective, regarded Irwin's policy as weakening the machinery of administration, Emerson had an awareness of the proclaimed ends of British rule; and so Irwin could adopt the unusual procedure of entrusting him with negotiations with Gandhi on matters of policy. Gandhi was at first suspicious of one who, as Home Secretary, had signed all the ordinances relating to civil disobedience; but soon Emerson won his confidence and Gandhi willingly entrusted to him the drafting of the settlement.<sup>2</sup> In the provinces, Irwin had the co-operation of most of the Governors. The weighty support of Sir Malcolm Hailey, the most distinguished of Indian civilians and Governor successively of the Punjab and of the United Provinces, was particularly of value. With the Governors of the three presidencies, who were usually recruited from the office of the Whips and the back-benches of the House of Commons, relations were not always easy. Particularly was

<sup>1</sup> Sir Herbert Emerson. B. 1881; entered Indian civil service 1905; Home Secretary to the Government of India 1930-33; Governor of the Punjab 1933-8; High Commissioner for Refugees, League of Nations, 1939-46.

<sup>2</sup> Information supplied by Lord Halifax.



this the case in Bombay. Sir Leslie Wilson was not slow to express his misgivings about the approach of the Government of India to the Bardoli agitation, while his successor Sir Frederick Sykes made no secret of his dislike of the Viceroy's promise of Dominion Status<sup>1</sup> and sought wider powers for dealing with civil disobedience than Irwin was prepared to grant. But, on the whole, neither at Delhi nor in the provinces did Irwin's policy suffer from poor loyalty and weak execution.

The five years of the viceroyalty saw no marked improvement in the administration of Indian States and in the relations between Hindus and Moslems. The former was not the direct responsibility of the Government of India, but Irwin had made clear from the start that he had given the latter high priority. Yet among his last acts as Viceroy was the issue of a circular to local governments drawing their attention to the imminent danger of communal strife and the measures to be taken in these circumstances.<sup>2</sup> But this again was a matter which, however much Irwin might show his concern, extended far beyond the purview of the Government of India. The Viceroy could offer to assist in its consideration and urge the Hindus not to under-rate the power, over the years, of an overwhelmingly generous political gesture to the Moslems; but he could hope to make no headway on his own. The chief task confronting him was the political problem of British India, and it is by the efforts in dealing with this that the viceroyalty must be judged. Since 1917 there were new levels of expectation in India, and impatience that many in England wished to leave the realization of these hopes to the slow shaping of time and circumstance. It was, however, as Irwin well knew, a problem more of human relations than of constitutional ingenuity.

I am always racking my brain as to how to get out of this futile and vicious circle by which we say, no advance without co-operation, and they say no co-operation without advance. I cannot help feeling that it is a question much more psychological than political. One of the extreme

<sup>1</sup> See his speech to the Bombay Legislative Council, Feb. 1930, cited in Sykes, *op. cit.*, p. 380.

<sup>2</sup> Emerson to Local Governments. No. S. 902/31-Poll. Confidential dated 13 Apr. 1931.



*Swaraj* people said to me the other day that if only they could trust us it wouldn't matter to them whether they waited five or fifty years. How then to make them believe that we mean what we say?<sup>1</sup>

To this question that lay at the root of the problem the vice-royalty succeeded in finding an answer.

Though Irwin had seized the nature of the problem his approach was at the outset cautious and measured, and there was even a touch of the wooden in British policy in the years that Gandhi was disciplining the strength of the Congress and training it for a wrestle with authority. One consequence of this was the personnel of the Statutory Commission, which did more than any other single occurrence to build up tension. But by the end of 1928 the Viceroy had grasped the pattern of the Indian political scene, and the settlement of the Bardoli issue marked the first impact of his personality. The next year, however, was the seminal one of the vice-royalty. The early dissonance disappeared, and Irwin's sensitive and searching wisdom and sense of reality found full play. He realized that the Congress after the Calcutta session was divided in mind, fretting and fumbling, lacking the assurance either to wait or to strike, and that the initiative could be seized by the Government. He therefore came to England with detailed proposals, but finding little enthusiastic response returned not so much with authority as with determination to act on his own. His statement, by giving precise content to the 1917 Declaration, sought to deprive the demand for Independence of some of its glamour. It was clear that the Viceroy was not merely capable of firm action against Communist and other elements regarded as subversive but was anxious to carry forward the established aspirations of the Indian people. The statement, it is true, failed to divert the Congress from civil disobedience, but in all the confusion and upheaval that followed it remained a spar afloat; and it was that, and not the Simon Commission Report, which finally reached the shore. The Round Table Conference, and the participation of the Congress in it, were the achievements of the Government of India and not of the Statutory Commission. Throughout the hurried

<sup>1</sup> Irwin to Dawson, 18 May 1926: *The Times History*, p. 863.

sequence of events in 1930, Irwin never lost his foothold; while asserting authority he was always on guard lest patience fail and judgement falter; never retreating he was yet ever ready to treat.

The climax of the viceroyalty came in 1931, when Irwin put the whole to the touch. His term of office had been an unceasing effort at understanding; he came out to India with an understanding of the Indian problem, slowly gathered an understanding of Indian politics and now finally understood his most doughty opponent. Gandhi is one of those immortals who transcend all boundaries, and his genius is difficult to define. But its fundamental traits are clear. His intellect never broke away from his emotions; he was sagacious but was also often overborne by moods of impulsive gallantry. The description of William the Silent is also applicable to him; for in him too was to be found 'the irresistible combination of intellectual subtlety with simplicity of heart'.<sup>1</sup> A direct approach on a personal level could dissolve the vehemence he showed in rebutting rational arguments; and common belief in the invincible forces of faith could transform for him an adversary into a partner. Irwin by now appreciated both the strength and the virtues of Gandhi. He knew that Gandhi was not merely a powerful leader who voiced the inarticulate dissatisfaction of millions but also a politician inspired by spiritual values and a genuine friendliness towards Britain. Hence the Viceroy could with confidence initiate negotiations and 'drink tea with treason'. Even if the parleys had ended in failure to reach a settlement they would have been worthwhile. For the burden of the hours the two men spent together was not a series of compromises on the various points at issue but an acceptance by each representative figure of the sincerity of the other.

Irwin, in fact, had carried out with success the task he had set himself. The 1917 Declaration had been clarified, and Indian opinion now believed that the British Government and nation whom Irwin represented meant what they said. The candour of the Viceroy's approach, the probity of his nature and the integrity of all his efforts won the confidence

<sup>1</sup> A. L. Rowse, *The Expansion of Elizabethan England* (London, 1955), p. 375.

of the people he was set to govern. Character was the keel of the viceroyalty. It was a character free of meretricious ornament; there was in it no element of the florid or the facile; it was formed not of colour and fire but of dignity, human warmth, and the 'plain good intent' which Burke rated above all other qualities in public life. Irwin's early statements, especially on the communal problem, gained him uneasy respect, but as the years passed his personal impact, through his speeches, his actions and his policy, stirred the affections of India.

If there are Indians [Irwin told the Legislative Assembly in January 1929],<sup>1</sup> who are tempted to mistrust Great Britain, there are no doubt many in Great Britain, resentful of what they well know to be an unfounded and ungenerous accusation, who may mistrust some of those who speak for India. But if we are thus tempted in the twentieth century, I know that both India and Great Britain will be judged in the twenty-first by the degree to which they have refused to lose faith in one another.

This time of judgement has come even earlier, and today, free from distorting emotion and prejudice, we can see that Irwin's policy was overwhelmingly right and that he did more than most other men of his time to keep alive the faith of the two peoples in each other.

<sup>1</sup> *Indian Problems*, p. 65.

## APPENDIX

### *Text of Settlement published on 5 March 1931*

THE following statement by the Governor-General in Council is published for general information:

1. Consequent on the conversations that have taken place between His Excellency the Viceroy and Mr. Gandhi, it has been arranged that the civil disobedience movement be discontinued, and that, with the approval of His Majesty's Government, certain action be taken by the Government of India and local governments.

2. As regards constitutional questions, the scope of future discussion is stated, with the assent of His Majesty's Government, to be with the object of considering further the scheme for the constitutional Government of India discussed at the Round Table Conference. Of the scheme there outlined, Federation is an essential part; so also are Indian responsibility and reservations or safeguards in the interests of India, for such matters as, for instance, defence; external affairs; the position of minorities; the financial credit of India, and the discharge of obligations.

3. In pursuance of the statement made by the Prime Minister in his announcement of the 19th of January 1931, steps will be taken for the participation of the representatives of the Congress in the further discussions that are to take place on the scheme of constitutional reform.

4. The settlement relates to activities directly connected with the civil disobedience movement.

5. Civil disobedience will be effectively discontinued and reciprocal action will be taken by Government. The effective discontinuance of the civil disobedience movement means the effective discontinuance of all activities in furtherance thereof, by whatever methods pursued and, in particular, the following:

- (1) The organized defiance of the provisions of any law.
- (2) The movement for the non-payment of land revenue and other legal dues.
- (3) The publication of news-sheets in support of the civil disobedience movement.
- (4) Attempts to influence civil and military servants or village officials against Government or to persuade them to resign their posts.

6. As regards the boycott of foreign goods, there are two issues involved, firstly, the character of the boycott and secondly, the methods

employed in giving effect to it. The position of Government is as follows. They approve of the encouragement of Indian industries as part of the economic and industrial movement designed to improve the material condition of India, and they have no desire to discourage methods of propaganda, persuasion, or advertisement pursued with this object in view, which do not interfere with the freedom of action of individuals, or are not prejudicial to the maintenance of law and order. But the boycott of non-Indian goods (except of cloth which has been applied to all foreign cloth) has been directed during the civil disobedience movement chiefly, if not exclusively, against British goods, and in regard to these it has been admittedly employed in order to exert pressure for political ends.

It is accepted that a boycott of this character, and organized for this purpose, will not be consistent with the participation of representatives of the Congress in a frank and friendly discussion of constitutional questions between representatives of British India, of the Indian States, and of His Majesty's Government and political parties in England, which the settlement is intended to secure. It is, therefore, agreed that the discontinuance of the civil disobedience movement connotes the definite discontinuance of the employment of the boycott of British commodities as a political weapon and that, in consequence, those who have given up, during a time of political excitement, the sale or purchase of British goods must be left free without any form of restraint to change their attitude if they so desire.

7. In regard to the methods employed in furtherance of the replacement of non-Indian by Indian goods, or against the consumption of intoxicating liquor and drugs, resort will not be had to methods coming within the category of picketing, except within the limits permitted by the ordinary law. Such picketing shall be unaggressive and it shall not involve coercion, intimidation, restraint, hostile demonstration, obstruction to the public, or any offence under the ordinary law. If and when any of these methods is employed in any place, the practice of picketing in that place will be suspended.

8. Mr. Gandhi has drawn the attention of Government to specific allegations against the conduct of the police, and represented the desirability of a public inquiry into them. In present circumstances Government see great difficulty in this course and feel that it must inevitably lead to charges and counter-charges, and so militate against the re-establishment of peace. Having regard to these considerations, Mr. Gandhi agreed not to press the matter.

9. The action that Government will take on the discontinuance of the civil disobedience movement is stated in the following paragraphs.

10. Ordinances promulgated in connexion with the civil disobedience movement will be withdrawn.



Ordinance No. 1 of 1931 relating to the terrorist movement does not come within the scope of the provision.

11. Notifications declaring associations unlawful under the Criminal Law Amendment Act of 1908 will be withdrawn, provided that the notifications were made in connexion with the civil disobedience movement.

The notifications recently issued by the Burma Government under the Criminal Law Amendment Act do not come within the scope of this provision.

12. (i) Pending prosecutions will be withdrawn if they have been filed in connexion with the civil disobedience movement and relate to offences which do not involve violence other than technical violence, or incitement to such violence.

(ii) The same principles will apply to proceedings under the security provisions of the Criminal Procedure Code.

(iii) Where a local government has moved any High Court or has initiated proceedings under the Legal Practitioners' Act in regard to the conduct of legal practitioners in connexion with the civil disobedience movement, it will make application to the court concerned for permission to withdraw such proceedings, provided that the alleged conduct of the persons concerned does not relate to violence or incitement to violence.

(iv) Prosecutions, if any, against soldiers and police involving disobedience of orders will not come within the scope of this provision.

13. (i) Those prisoners will be released who are undergoing imprisonment in connexion with the civil disobedience movement for offences which did not involve violence, other than technical violence, or incitement to such violence.

(ii) If any prisoner who comes within the scope of (i) above has been also sentenced for a jail offence, not involving violence, other than technical violence, or incitement to such violence, the latter sentence also will be remitted, or if a prosecution relating to an offence of this character is pending against such a prisoner, it will be withdrawn.

(iii) Soldiers and police convicted of offences involving disobedience of orders—in the very few cases that have occurred—will not come within the scope of the amnesty.

14. Fines which have not been realized will be remitted. Where an order for the forfeiture of security has been made under the security provisions of the Criminal Procedure Code, and the security has not been realized, it will be similarly remitted.

Fines which have been realized and securities forfeited and realized under any law will not be returned.

15. Additional police imposed in connexion with the civil disobedience movement at the expense of the inhabitants of a particular

area will be withdrawn at the discretion of local governments. Local governments will not refund any money, not in excess of the actual cost, that has been realized but they will remit any sum that has not been realized.

16. (a) Movable property, which is not an illegal possession, and which has been seized in connexion with the civil disobedience movement, under the Ordinances or the provisions of the Criminal Law, will be returned, if it is still in the possession of Government.

(b) Movable property, forfeited or attached in connexion with the realization of land revenue or other dues, will be returned, unless the collector of the district has reason to believe that the defaulter will contumaciously refuse to pay the dues recoverable from him within a reasonable period. In deciding what is a reasonable period, special regard will be paid to cases in which the defaulters, while willing to pay, genuinely require time for the purpose, and if necessary, the revenue will be suspended in accordance with the ordinary principles of land revenue administration.

(c) Compensation will not be given for deterioration.

(d) Where movable property has been sold or otherwise finally disposed of by Government, compensation will not be given and the sale proceeds will not be returned, except in so far as they are in excess of the legal dues for which the property may have been sold.

(e) It will be open to any person to seek any legal remedy he may have on the ground that the attachment or seizure of property was not in accordance with the law.

17. (a) Immovable property of which possession has been taken under Ordinance IX of 1930 will be returned in accordance with the provisions of the Ordinance.

(b) Land and other immovable property in the possession of Government, which has been forfeited or attached in connexion with the realization of land revenue or other dues, will be returned unless the collector of the district has reason to believe that the defaulter will contumaciously refuse to pay the dues recoverable from him within a reasonable period. In deciding what is a reasonable period special regard will be paid to cases in which the defaulter, while willing to pay, genuinely requires time for the purpose, and if necessary the revenues will be suspended in accordance with the ordinary principles of land revenue administration.

(c) Where immovable property has been sold to third parties, the transaction must be regarded as final, so far as Government are concerned.

NOTE: Mr. Gandhi has represented to Government that according to his information and belief some, at least, of these sales have been

unlawful and unjust. Government on the information before them cannot accept this contention.

(d) It will be open to any person to seek any legal remedy he may have on the ground that the seizure or attachment of property was not in accordance with the law.

18. Government believe that there have been very few cases in which the realization of dues has not been made in accordance with the provisions of the law. In order to meet such cases, if any, local governments will issue instructions to District Officers to have prompt inquiry made into any specific complaint of this nature, and to give redress without delay if illegality is established.

19. Where the posts rendered vacant by resignations have been permanently filled, Government will not be able to reinstate the late incumbents. Other cases of resignation will be considered on their merits by local Governments who will pursue a liberal policy in regard to the reappointment of Government servants and village officials who apply for reinstatement.

20. Government are unable to condone breaches of the existing law relating to the salt administration, nor are they able, in the present financial conditions of the country, to make substantial modifications in the Salt Acts.

For the sake, however, of giving relief to certain of the poorer classes, they are prepared to extend their administrative provisions, on lines already prevailing in certain places, in order to permit local residents in villages, immediately adjoining areas where salt can be collected or made to collect or make salt for domestic consumption or sale within such villages, but not for sale to, or trading with, individuals living outside them.

21. In the event of Congress failing to give full effect to the obligations of this settlement, Government will take such action as may, in consequence, become necessary for the protection of the public and individuals and the due observance of law and order.

H. W. EMERSON,

*Secretary to the Government of India*

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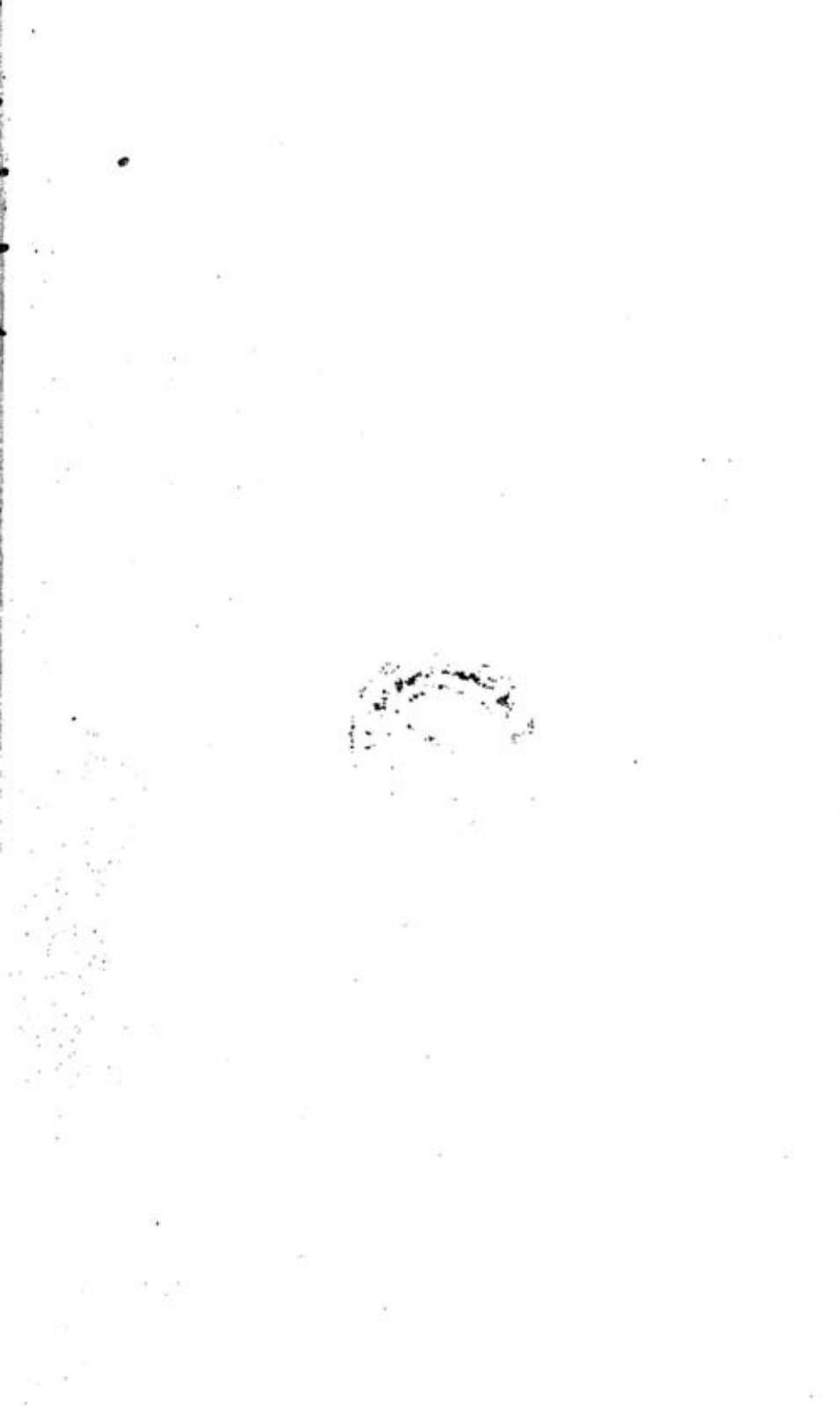


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